

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39298 of 2026

Arising Out of PS. Case No.-3 Year-2026 Thana- NIMCHAKBATHANI District- Gaya

Anil Mistri @ Anil Mistri Son of Late Chhotan Mistri Resident of Village-
Baraini, P.S.- Neemchak Bathani, District- Gayaji

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar Singh

For the Opposite Party/s : Mr.Akshay Lal Pandit

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 18-06-2026 Heard the parties.

2. The petitioner is named in the F.I.R. and apprehending his arrest in connection with Neemchak Bathani P.S. Case No. 03 of 2026 registered for the offences punishable under Sections 103(1), 238 of BNS.

3. The allegation against petitioner is that on 12.01.2026 at about 10:45 AM when he was on patrolling duty, he received information about one unknown dead body of a women lying in the trench and to verify the said information he visited to the and found one dead body covered with straw (*puwal*). Some mark of violence and swelling was found on dead body. It was said that the



unknown person after committing the murder of said unknown women, thrown her dead body there.

4. It is submitted by learned counsel appearing on behalf of the petitioner that photograph of the dead body was published by the police in daily newspaper, whereafter parent of the deceased came to the police and raised the allegation against in-laws family members. It is submitted that husband of the deceased was arrested who confessed that he alongwith one co-accused Mahesh Chaudhary committed murder of his wife as she was in illicit relationship. It is submitted that taking advantage of this murder the father of the deceased named 11 other persons who are the agnets and even remotely related with the in-laws family members without having any cogent material. It is argued that petitioner admittedly living separately from the family of the deceased and the husband and his name was supplied by father of the deceased only to harass the family members. Petitioner claimed clean antecedent.

5. Learned APP opposes the prayer of bail.



6. In view of aforesaid factual submission and by taking note of fact as husband of the deceased failed to disclose the name of this petitioner as to involve in present crime in question, where *prima-facie* name of the petitioner was taken by the father of the deceased on the basis of suspicion only, who admittedly is not an eye witness of the occurrence, accordingly petitioner above-named, in the event of his arrest or surrender before the court below within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned JM 1st Class, Gayaji/concerned Court, where the case is pending in connection with Neemchak Bathani P.S. Case No. 03 of 2026, subject to the conditions as laid down under Section 482(2) of BNSS.

(Chandra Shekhar Jha, J)

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