

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41288 of 2026

Arising Out of PS. Case No.-94 Year-2026 Thana- DEWARIA District- Muzaffarpur

1. Bhola Khalifa S/o Lalan Khalifa R/o Village- Deoriya, P.S.- Deoriya, Dist- Muzaffarpur
2. Santosh Khalifa S/o Laloo Khalifa R/o Village- Deoriya, P.S.- Deoriya, Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Arun Kumar, Advocate
For the State	:	Mr. Murli Dhar, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 06-07-2026 Heard learned counsel appearing on behalf of the
petitioners and learned APP appearing on behalf of the State.

2. At the outset, learned counsel for the petitioners seeks permission to withdraw this anticipatory bail application with regard to Petitioner No. 2, namely Santosh Khalifa, as during pendency of this case, Petitioner No. 2 has already been arrested and the same has become infructuous.

3. Permission, as prayed for, is accorded.

4. Accordingly, this anticipatory bail application stands dismissed as withdrawn with regard to Petitioner No. 2.

5. Petitioner No. 1 apprehends his arrest in a case registered for the offence punishable under Sections 108 and 61(2) of the B.N.S..



6. The prosecution case, as per *fard beyan* of the informant, in brief, is that daughter of informant, namely Sahani Devi, was married to one Naresh Khalifa and used to reside at her matrimonial house situated in Deoria along with her husband and nine children. On 01.04.2026 at night, son-in-law of informant informed her over phone that her daughter has died after consuming poison. Upon receiving such informant, the informant, along with her family members, reached Deoria on 02.04.2026 and found dead body of her daughter lying in the house. Son-in-law of informant, namely Naresh Khalifa, informed the informant that on 31.03.2026, during grazing of buffaloes, a quarrel took place between daughter of informant and all the F.I.R. named accused persons, including this petitioner, and this petitioner, along with co-accused Santosh Khalifa, abused and threatened daughter of informant and due to such harassment, the victim committed suicide by consuming poison.

7. It is submitted by learned counsel appearing on behalf of the petitioner that petitioner is quite innocent and has committed no offence. Due to long standing land dispute between petitioner and husband of the deceased, this false and concocted case has been lodged. As a matter of fact, the



deceased had a quarrel with her husband and out of anger, she consumed poison and committed suicide. There is no material on record to suggest that this petitioner played any direct or indirect role in instigating the deceased to commit suicide. Even as per prosecution case, the alleged quarrel took place on 31.03.2026 whereas the deceased committed suicide after two days of the alleged occurrence i.e. on 01.04.2026. Thus, the suicide was not proximate to quarrel. Petitioner claims clean antecedents.

8. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

9. Considering the facts and circumstances of the case, general and omnibus nature of accusation, materials available on record and clean antecedents of the petitioner, the prayer for grant of anticipatory bail to Petitioner No. 1 is allowed.

10. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named Petitioner No. 1 be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. 5th (West),



Muzaffarpur in connection with Deoriya P.S. Case No. 94 of 2026, subject to condition as laid down under Section 482(2) of the B.N.S.S..

11. With the aforesaid directions, this application stands disposed of.

(Prabhat Kumar Singh, J)

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