

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49848 of 2026

Arising Out of PS. Case No.-317 Year-2024 Thana- HUSSAINGANJ District- Siwan

Manoj Sharma @ Manoj Kumar Sharma Son of Late Vermanand Sharma
Resident of Village - Falpura, P.S. - Pachrukhi, District - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijay Prakash Singh

For the Opposite Party/s : Mr.Sangeeta Sharma

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 29-07-2026 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 103 and
61(2) of the BNS and Section 27 of the Arms Act.

3. Learned counsel appearing on behalf of the
petitioner submits that petitioner has antecedent of one case and
the informant alleges that her husband was having dispute
relating to land with Santosh and petitioner, further Rs. 18 lakhs
was due with Uma Bharati, further the accused persons had
threatened to kill him, next alleges that on 09.09.2024 at 10:00
A.M. her husband left for Siwan on a motorcyle, thereafter
informant also went behind him and saw Md. Dhannu, Santosh,
petitioner, Uma, Kundan, Vikki, Upendra, Ibrahim and Salman



sitting near a tea shop and were talking, further when her husband crossed the bank, the aforesaid accused persons also left on three motorcyles towards Siwan, it is next alleged that on 10:30 A.M. she received an information that her husband has been shot dead by unidentified accused persons near a *chimaney*, accordingly, she reached the place of occurrence and saw the dead body of her husband, thus based on suspicion alleges that accused persons including the petitioner killed her husband.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant based on suspicion, it is next submitted that informant alleges that her husband on 09.09.2024 at 10:00 A.M. left for Siwan on a motorcycle and after her husband left the home she also followed him and saw the accused persons sitting near a tea stall, it is also submitted that it does not appear probable that informant would have come out of the house following her husband when he had left for Siwan, it is further submitted that Santosh along with four accused persons were acquitted in Session Trial No. 99 of 2025 by the learned Trial Court by judgement dated 24.09.2025, it is reiterated and submitted that entire allegation hinges around suspicion and



named accused persons in the FIR have been acquitted, it is also submitted that if the privilege of anticipatory bail is granted to the petitioner, the petitioner will not abscond rather will cooperate in the investigation to prove his innocence.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the submissions made by the learned counsel appearing on behalf of the petitioner and taking into consideration the fact that entire allegation hinges around suspicion and similarly situated co-accused have been acquitted in the trial, let the petitioner, above-named, in the event of his arrest or surrender within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.25,000/- (Rupees Twenty-five Thousand) with two sureties of the like amount each to the satisfaction of the learned Trial Court where the case is pending/Successor Court in connection with Hussainganj P.S. Case No. 317 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C./482(2) of the B.N.S.S. with a condition that one of the bailors of the petitioner shall be his wife, namely, Nisha Kumari.

7. However, it is made clear that if the Investigating Officer of the case files an application before the learned Trial



Court bringing to its notice that the petitioner, despite giving assurance to this Court, is not cooperating in the investigation, the learned Trial Court shall be at liberty to cancel the bail bonds of the petitioner.

(Satyavrat Verma, J)

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