

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69046 of 2025

Arising Out of PS. Case No.-42 Year-2022 Thana- BHIMPUR District- Supaul

1. Mahanand Gohitman S/o Late Manmohan Gohitman R/o Village - Thuthi, Ward No. 09, P.S - Bhimpur, District - Supaul
2. Brahmanand Gohitman S/o Late Manmohan Gohitman R/o Village - Thuthi, Ward No. 09, P.S - Bhimpur, District - Supaul
3. Umanand Gohitman S/o Manmohan Gohitman R/o Village - Thuthi, Ward No. 09, P.S - Bhimpur, District - Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Naresh Kumar Mehta, Advocate
For the Opposite Party/s : Mr. Parmanand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

4 21-01-2026 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. Petitioners apprehend their arrest in connection with Bhimpur P.S. Case No. 42 of 2022 registered for the offences under Sections 306/201 of the I.P.C. and under Section 27 of the Arms Act.

3. As per the prosecution case, the informant/ petitioner no. 3 in the present case, has stated that while all the three brothers (petitioners) were sitting together, they heard that their youngest brother, namely, Parmanand Gohitman has killed himself by a firearm.



4. Learned counsel for the petitioners submit that the petitioners have falsely been implicated in the present case at the behest of the police on mere presumption that the deceased might have committed suicide on their instigation. It has further been submitted that from perusal of the F.I.R., it would be evident that the wife of the deceased had also Signed the F.I.R. and nothing has been stated about the involvement of the petitioners of any kind of torture committed by them leading to the suicide of the youngest brother of the petitioners. It has also been submitted that from the perusal of the case diary, nothing has come on record to suggest that the petitioners had ever caused any pressure upon the deceased so as to show that the deceased would commit such a crime. He next submitted that the deceased was found to be in an inebriated condition when he fired the bullet which was found in the body of the deceased. It has lastly been submitted that the three petitioners who are the own brothers of the deceased have been made an accused merely on suspicion and the petitioner nos. 1 and 2 have one criminal case against their name on which they are on bail, while petitioner number 3 carries clean antecedent.

5. Learned APP for the State has vehemently opposed the prayer for anticipatory bail.



6. Considering the aforesaid submission, facts and circumstances of the case, let the petitioners above named be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bonds of Rs.10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor court in connection with Bhimpur P.S. Case No. 42 of 2022 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure read with corresponding Section 482(2) of B.N.S.S. as well as subject to the following conditions:-

- (i) One of the bailors of the petitioners shall be their close relative.
- (ii) The petitioners shall remain physically present in Court on each date of the trial.
- (iii) In case of absence on two consecutive dates, or in violation of the terms of the bail, the bail bond of the petitioners will be liable to be cancelled by the Court concerned.
- (iv) If the petitioners are found involved in similar nature of offence in future, the prosecution shall be



at liberty to move for cancellation of his bail bond.

(v) The learned Court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

7. Accordingly, the present application stands disposed of.

8. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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