

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87990 of 2025

Arising Out of PS. Case No.-180 Year-2025 Thana- MAHISHI District- Saharsa

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1. Mani Kumar Singh @ Manee Kumar Singh S/O Late Devendra Singh, R/O Vill.- Mahpura, P.S.- Mahishi, Dist.- Saharsa.
 2. Dhananjay Kumar Singh S/O Rambali Singh, R/O Vill.- Mahpura, P.S.- Mahishi, Dist.- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amarnath Jha, Advocate

For the State : Mr. Upendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR

ORAL ORDER

3 06-04-2026 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail, apprehending their arrest, in connection with Mahishi P.S. Case No. 180 of 2025 dated 03.06.2025, registered for the offences punishable under Sections 103(1) and 3(5) of BNS, 2023.

3. As per allegation, the accused/petitioners took the victim/deceased to participate in a feast being organized in the village, but the victim could not return to his home even by 1:00 A.M. in the night. The family members started searching him



and in the morning, they found the dead body of the deceased in local Janki Temple. As per inquest and postmortem report, ante mortem injuries was found on the head of the deceased and the victim had died due to haemorrhage shock on account of injury to his brain caused by hard and blunt substance.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. He further submits that except the allegation that the deceased was last seen with the petitioners, there is no other material against them even in the case diary, even after investigation for about 9 months. He further submits that petitioners are totally innocent and no way connected with the alleged offence. He also submits that the whole case is based only on suspicion and no material has been found by the police even after nine months of the investigation. He further submits that petitioners are ready to cooperate in the investigation and attend the Court whenever required.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioners have not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioners have no criminal antecedent.



7. However, learned APP for the State vehemently opposes the prayer of the Petitioners for bail.

8. Considering the fact that even after investigation for about nine months, there is no incriminating material against the petitioners, **this petition is allowed**, directing the petitioners, above-named, to be enlarged on bail, in the event of their arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned concerned Court Below, in connection with Mahishi P.S. Case No. 180 of 2025, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S., 2023 and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioners have any criminal antecedent, learned court below shall cancel the bail bonds of the petitioners after hearing them and getting satisfied that the petitioners have concealed their criminal antecedents despite their knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong,



learned court below shall cancel the bail bonds of the
petitioners.

(Jitendra Kumar, J.)

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