IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55174 of 2026

Arising Out of PS. Case No.-382 Year-2024 Thana- MITHANPURA District- Muzaffarpur

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1. Saurabh Kumar Son of Anil Singh Resident of Village- Keshariya, P.S.- Keshariya, District- East Champaran
2. Anil Singh Son of Late Yogendra Singh Resident of Village- Keshariya, P.S.- Keshariya, District- East Champaran

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Santosh Kumar Pandey, Advocate
For the Opposite Party/s : Md. Nazir Ansari, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH

ORAL ORDER

2 17-08-2026 Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. Petitioners apprehend arrest in a case registered for the offences punishable under Sections 103(1), 61(2) of the Bharatiya Nyaya Sanhita.

3. Prosecution case, in brief, is that these petitioners along with other F.I.R. named accused persons committed murder of the mother of informant in greed of property.

4. Learned counsel for the petitioners submits that petitioners are innocent and have committed no offence. Informant is not an eye-witness to the occurrence and has not disclosed the source of information as to how he came to know

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that these petitioners and other co-accused committed the alleged offence. He further submits that petitioner no. 1 is grandson and petitioner no. 2 is son-in-law *(Damad)* of the deceased and they are simply victims of over-implications. As a matter of fact, there is property dispute between the parties. He further submits that on 30.09.2024, the two daughters of deceased had filed a Title Partition Suit No. 1072/2024 against informant and others for their share in the suit property. Even, the deceased Krishna Devi had also filed an informatory petition in the court below against informant. In fact, the deceased fell down while going to toilet and became senseless and subsequently, died in Prasant Hospital, but informant, taking advantage of situation, has filed this false and concocted case against petitioners and others. During investigation, no direct or indirect evidence has come to show complicity of petitioners in the alleged occurrence. Similarly situated co-accused, namely, Diwakar Kumar @ Diwakar Singh @ Divakar Singh has already been granted anticipatory bail by this Court *vide* order dated 05.08.2026 passed in Cr. Misc. No. 20349 of 2026.

5. Learned A.P.P. vehemently opposed and submitted that there is direct allegation against petitioners that they along with other co-accused committed the murder of deceased and in

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the post-mortem report, cause of death is haemorrhage and shock resulted from hard and blunt force.

6. Considering the aforesaid facts and circumstances of the case, this anticipatory bail is allowed and it is ordered that let the above named petitioners in the event of their arrest/surrender before the court below within a period of eight weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, East Muzaffarpur in connection with Mithanpura P. S. Case No. 382 of 2024, subject to condition as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Prabhat Kumar Singh, J)

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