

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.3797 of 2025**

Arising Out of PS. Case No.-160 Year-2024 Thana- POTHYA District- Kishanganj

Suraj S/O Ismail Village- Beragachh Budhara, P.S.- Pothia, District-  
Kishanganj

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Sunil Kumar

For the Opposite Party/s : Mr.Jitendra Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR  
PANDEY**

**ORAL ORDER**

4      15-10-2025              Heard learned counsel for the petitioner and learned APP for  
the State.

2. The petitioner is apprehending his arrest in Pothia P.S. Case  
No. 160 of 2024 registered under Sections 103(1), 80(2), 123( 61(2),  
3(5) of B.N.S.

3. According to allegation, the marriage of the deceased was  
solemnized with the petitioner. The accused persons demanded  
dowry. In absence of the petitioner at his instance, his family  
members administered poisonous substance to the victim and she  
died.

4. It has been submitted on behalf of the petitioner that FIR  
itself shows that the petitioner was not present at the time of  
occurrence. As a matter of fact, she consumed poisonous substance  
and in order to save her life, family members of the petitioner  
brought her to Islampur hospital where the doctors declared her as  
dead. He has also submitted that when the informant realized his



mistake, he compromised the case.

5. From perusal of the FIR, it transpires that the petitioner was not present at his house at the time of occurrence and family members of the petitioner shifted the deceased to the hospital for treatment where she was declared as dead.

6. Learned APP has opposed the prayer for anticipatory bail.

7. Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of four weeks, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-II, Kishanganj in connection with Pothia P.S. Case No. 160 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/ 482(2) of BNSS, 2023.

8. **The petitioner will appear in the court below on each and every date fixed in the case till framing of the charges.**

**(Nawneet Kumar Pandey, J)**

A.K.V.//-

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