

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6942 of 2025

Arising Out of PS. Case No.-94 Year-2024 Thana- SUGAULI District- East Champaran

1. Ramesh Shah Son of Late Kapildev Shah Resident of Village - Sugaon Dih, P.S. - Sugauli, District - East Champaran
2. Umesh Shah Son of Late Kapildev Shah Resident of Village - Sugaon Dih, P.S. - Sugauli, District - East Champaran
3. Pushpa Devi Wife of Umesh Shah Resident of Village - Sugaon Dih, P.S. - Sugauli, District - East Champaran
4. Suman Devi Wife of Ramesh Shah Resident of Village - Sugaon Dih, P.S. - Sugauli, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhannjay Kumar II
For the Opposite Party/s : Mr.Ajay Kumar Jha

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 3 12-05-2025 1. Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Sugauli Police Station Case No. 94 of 2024, dated 10.03.2024, disclosing offences punishable under Sections 302/34 of the Indian Penal Code.
3. The prosecution case, as per the First Information Report, is that the informant Ruby kumari filed a written report before the police stating therein that her marriage was performed with Ranjan Kumar (now, deceased) in the



year 2012, but due to family dispute, she lodged a criminal case under Section 498-A of the Indian Penal Code against the deceased and her in-laws. The deceased was ready to keep the informant in her matrimonial home, but the brothers and sister-in-laws of the deceased did not allow the informant to stay with the deceased in her matrimonial home. Lastly, on 08.03.2024, the petitioners assaulted the deceased due to which he died.

4. Learned Counsel for the petitioners submits that the petitioners have falsely been implicated in this case with mala fide intention. The informant was the first wife of the deceased and there was strain relationship between the husband and wife. The deceased performed second marriage with Priyanka Devi due to the fact that the informant was not willing to stay with the deceased. The deceased had also filed a divorce case, bearing Divorce Case No. 195 of 2023, against the informant. The deceased was having the heart disease, due to which he died, which would be evident from the post mortem examination report (Annexure 3), in which the doctor has given his opinion regarding the cause of death as cardiac deceased. No external injury has been found on the body



of the deceased.

- 5. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the post mortem examination report, in which the cause of death has been given as cardiac decease, I am inclined to grant the petitioners privilege of anticipatory bail.
- 6. This application is, accordingly, allowed.
- 7. Let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of four weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran, at Motihari, in connection with Sugauli Police Station Case No. 94 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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