

IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.15545 of 2025

Arising Out of PS. Case No.-376 Year-2024 Thana- SUGAULI District- East Champaran

- 1. Chhoti Devi Wife of Late Gauri Shankar Sah, Village -Sugaon, Mahavirganj North Sugaon, Ward No 5, PS -Sugauli, Distt- East Champraran.
- 2. Baliram Sah Son of Late Gauri Shankar Sah, Village -Sugaon, Mahavirganj North Sugaon, Ward No 5, PS -Sugauli, Distt- East Champraran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with  
CRIMINAL MISCELLANEOUS No. 15625 of 2025

Arising Out of PS. Case No.-376 Year-2024 Thana- SUGAULI District- East Champaran

Baidhnath Sah Son of Lakshman Sah, Village -Sugaon Mahaviganj Ward No 5, PS -Sugauli, Distt -East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :  
(In CRIMINAL MISCELLANEOUS No. 15545 of 2025)  
For the Petitioner/s : Mr. Shyam Sundar Kumar, Adv.  
For the Opposite Party/s : Md. Matloob Rab, APP  
(In CRIMINAL MISCELLANEOUS No. 15625 of 2025)  
For the Petitioner/s : Mr. Shyam Sundar Kumar, Adv.  
For the Opposite Party/s : Md. Matloob Rab, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR  
ORAL ORDER

3      14-05-2025      Considering the fact that both the applications are arising out of the same P.S. case; hence, with consent of the parties, they are being heard together and disposed off by a common order.

2. The petitioners apprehend their arrest in connection



with Sugauli P.S. Case No. 376 of 2024 registered for the offences punishable under Sections 103(1) and 3(5) of the BNS.

3. Allegedly, on 19.08.2024, the brother of the informant, who had been residing in his *sasural* was strangled and done to death by all the accused persons.

4. The petitioners before this Court are in-laws persons and their *gotiya*, having absolutely clean antecedent.

5. Learned counsel for the petitioners referring to the FIR contended that admittedly the informant is not an eyewitness to the alleged occurrence and only suspicion has been raised about the complicity of the petitioners. In fact, the deceased was a drug addict and, on the fateful day, he was found unconscious in his room, which was locked from inside and thereafter the wall of the room was broken and his body was brought out. Later on, the brother of the informant was taken to the hospital, however, the doctor has declared him dead. The postmortem of the deceased was also done; though, certain injuries have been found over the body of the deceased but the injuries have not been alleged to be reason for death. Since the cause of death has not been ascertained; hence, viscera has been preserved and sent for FSL report. Further contention has been made that since the deceased was not happy with his family



members, therefore, he had purchased a piece of land near the house of in-laws person and after constructing a house over it, he started residing therein. The injuries which have been found over the body of the deceased might have been occurred on account of his fall in intoxicated position.

6. On the other hand, learned counsel for the State opposed the bail applications and submitted that during the course of investigation, the motive has been assigned for causing death of the deceased, as the petitioners in collusion with each other wanted to get the land of the deceased registered in their favour. Moreover, the injuries found over the body of the deceased speak loud about the complicity of the petitioners in the crime.

7. Regard being had to the submissions made on behalf of the parties and considering the postmortem report as also the statement of the witnesses, including one Lakshmi Sah, who has stated before the police that on the fateful day, the petitioners had called him and taken the deceased on his e-rickshaw to the hospital for his treatment, where he was declared dead, apart from their fair antecedent, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a



period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned J.M. 1<sup>st</sup> Class, East Champaran, Motihari in connection with Sugauli P.S. Case No. 376 of 2024, subject to the condition as laid down under Section 482(2) of the BNSS, with further condition that one of the bailors shall be the own/close family members of the petitioners.

(Harish Kumar, J)

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