

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16181 of 2025

Arising Out of PS. Case No.-104 Year-2024 Thana- PARSAUNI District- Sitamarhi

Vigan Sah @ Bigan Sah S/O Shambhu Sah Resident of Village- Kora Khargi,
Post- Bhulli, Police Station- Parsauni, District- Sitamarhi

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nilendu Kumar Choudhary, Advocate
For the State : Mr.Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

4 23-07-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Persauni P.S. Case No. 104 of 2024 registered for the offence
punishable under Sections 80, 238 and 3(5) of the Bharatiya
Nyaya Sanhita, 2023.

3. The petitioner is the husband of the deceased. The
petitioner and others are said to have killed the deceased for
demand of dowry.

4. Learned counsel for the petitioner submits that the
deceased has committed suicide and the petitioner was not
present in the village. He was working in Delhi. The petitioner
is in custody 07.01.2025.

5. Learned counsel for the petitioner has also



submitted that the independent witnesses have said that the deceased has committed suicide.

6. Learned counsel for the State has opposed the prayer for bail.

7. This Court has perused the case diary. While dealing with such cases of murder/dowry death, this Court has observed a disturbing trend. After few months of the crime, independent witnesses are being planted by the Investigating Officer to say that the deceased has committed suicide. This is the recent trend when the Investigating Officer is gained over by the accused side.

8. If the independent witnesses were so sacrosanct about their statement, they would have appeared before the Investigating Officer immediately or within few days within the date of occurrence and not after three-four months of occurrence. This kind of recording of statement of so called eye witnesses is deprecated.

9. The Superintendent of Police, Sitamarhi is directed to take note of the aforesaid fact that the Investigating Officers are helping the accused persons and preparing the case diary after they are being gained over.

10. So far as this case is concerned, considering the



serious allegation levelled against the petitioner and the fact that no FIR or UD case was registered by the family members of the deceased immediately after her death, if the deceased had committed suicide, this application is dismissed.

11. Let a copy of this order be communicated to the Superintendent of Police, Sitamarhi forthwith through FAX or e-mail for its compliance.

(Sandeep Kumar, J)

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