

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21891 of 2025

Arising Out of PS. Case No.-464 Year-2024 Thana- SARAIYA District- Muzaffarpur

1. Nikki Devi Wife of Late Arjun Sahani @ Late Arjun Kumar Sahni Resident of Village - Bahilwara Gangauliya, P.S. - Saraiya, District - Muzaffarpur
2. Nirmala Devi Wife of Sanoj Kumar Sahani @ Sanoj Sahni Resident of Village - Bahilwara Gangauliya, P.S. - Saraiya, District - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Saurav Anand, Adv.

For the Opposite Party/s : Mr.Ram Bilash Roy Raman

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 20-08-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. In this present case, the petitioners seek bail in connection with Saraiya P.S. Case No. 464 of 2024 registered for the offences under Sections 126(2), 115(2), 109, 103 and 3(5) of the B.N.S.

3. As per prosecution case, petitioners and co-accused Rambali Sahni murdered the son of the informant.

4. Learned counsel appearing on behalf of the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. Petitioner no.1 is the wife of the deceased and petitioner no.2 who is the sister of petitioner no.1 was also the sister-in-law of the deceased. Informant is the father



of the deceased. There is no eye-witness to the occurrence and the informant admits that he received the information of death of his son from petitioner no.2. The informant was not present at the spot and merely on suspicion he has lodged this false case. Learned counsel further submits that the deceased son of the informant has solemnized love marriage with petitioner no.1 and due to torture by the informant, he committed suicide. The informant had been objecting to the marriage of the deceased with petitioner no.1. Learned counsel further submits that moreover it is not believable that a wife would kill her husband without any reason or motive. The police investigated the matter and found it to be a case of suicide and submitted charge-sheet under Section 108 and other incidental Sections of BNS. Though the petitioners and co-accused Rambali Sahni accused for the occurrence. Petitioners are in custody since 04.10.2024 and are having clean antecedent.

5. Learned A.P.P. opposes the submission made on behalf of the petitioners.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the submission of charge-sheet under Section 108 of BNS and other sections which is contrary to the claim of the informant about the petitioners committing murder of his son and also considering the period of custody of the petitioners along with their clean



antecedent, the petitioners above named are directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-IV, (West) Muzaffarpur/concerned court in connection with Saraiya P.S. Case No. 464 of 2024, subject to the conditions mentioned in Section 480(3) of the B.N.S.S. and other following conditions:

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioners will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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