

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22408 of 2025

Arising Out of PS. Case No.-356 Year-2024 Thana- BAJPATTI District- Sitamarhi

Nagendra Sah, aged about 100 years (M), Son of Late Jiya Sah, Resident of
Village- Harpurwa Dhankaul, Ward No. 11, P.S.-Bajpatti, District- Sitamarhi

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Sanjay Kumar, Advocate

For the Opposite Party : Mrs. Dr. Indihar Kumari, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 13-05-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with
Bajpatti P.S. Case No. 356 of 2024 dated 26.12.2024 registered
for the offences punishable under Sections 103(1) read with
Section 3(5) of B.N.S., 2023.

3. As per the prosecution case, on 25.12.2024 at about
8.00 A.M., the petitioner and the husband of the deceased are
alleged to have killed the informant's daughter.

4. Learned counsel for the petitioner has submitted
that the petitioner is innocent and has falsely been implicated in
this case. It is submitted that the petitioner is the father-in-law of
the deceased and he is aged about 100 years. He has no concern



with the alleged offence. He is separate in mess and property from the husband of the deceased. The husband of the deceased is already in jail. There is general and omnibus allegation against the petitioner. There is no specific allegation against the petitioner. It is further submitted that the deceased was a short temper lady and due to petty dispute with her husband, she herself consumed poison and during treatment she died. It is further submitted that police after investigation submitted charge sheet under Sections 108 read with Section 3(5) of the B.N.S., 2023. It is further submitted that during the course of investigation, number of witnesses including the daughter of the deceased have narrated that at the time of occurrence, the petitioner and the husband of the deceased were not present in the house rather when the deceased was unconscious in the house after consuming poison then her daughter informed the petitioner and her father and then they came from the field and took her at Hospital but she does not survive. It is further submitted that from perusal of the postmortem report, it appears that the doctor has found small abrasion over both side of face, near angle of mouth, multiple in number. No other external injury found on her body and also opined the cause of death could not be ascertained. The petitioner has clean antecedent as



stated in paragraph no. 3 of the bail petition. He is in custody in this case since 27.12.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner and has submitted that the petitioner and the husband of the deceased have killed the informant’s daughter.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-I, Sitamarhi in connection with Bajpatti P.S. Case No. 356 of 2024.

(Chandra Prakash Singh, J)

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