

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24534 of 2025

Arising Out of PS. Case No.-332 Year-2024 Thana- MAHISHI District- Saharsa

Lal Bahadur Sah Son of Babu Lal Sah Resident of Village - Jhakhra, Ward
No.- 13, Police Station - Mahishi, District - Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Kumari Rashmi

For the Opposite Party/s : Mr. Navin Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 02-05-2025 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 80 and
3(5) of BNS, 2023.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and is aged about 71
years and the informant alleges that his sister was married to
Laxman in the year 2022 and out of the wedlock, a child was
born, further on 08.11.2024, his sister was sleeping in the house
when the accused persons including the petitioner along with
4-5 unknown accused persons strangled her to death by a
rope, next alleges that his sister was tortured after marriage by
the accused persons for non-fulfillment of dowry demand of Rs.



1 Lakh, next alleges that accused persons fled with the child.

4. Learned counsel for the petitioner submits that petitioner, being father-in-law of the deceased, has been falsely implicated in the instant case by the informant. It is further submitted that informant is not an eye witness to the occurrence nor the FIR even remotely suggests that on what basis the informant alleges that petitioner was also involved in the occurrence. It is also submitted that no doubt the dead body of the deceased was found in the house of her husband, but then no effort was made by the petitioner or any other accused to dispose of the dead body with a view to conceal the evidence. It is also submitted that cause of death, as opined by the doctors after postmortem, is asphyxia on account of strangulation, but then the entire family members have been implicated. It is next submitted that whenever any occurrence of the nature as alleged takes place, the entire family members are implicated in a mechanical manner. It is next submitted that petitioner will not abscond rather will co-operate in the investigation to establish his innocence.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the submissions made by the learned



counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Mahishi P.S. Case No. 332 of 2024 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. However, it is made clear that in the event if the Investigating Officer of the case files an application before the learned Trial Court bringing to its notice that petitioner despite giving assurance to this Court is not co-operating in the investigation, in that event the learned Trial Court shall be at liberty to cancel the bail bonds of the petitioner.

8. Let a copy of this order be sent to the concerned police station through the learned Trial Court.

(Satyavrat Verma, J)

Rishabh/-

U		T	
---	--	---	--

