

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35893 of 2025

Arising Out of PS. Case No.-30 Year-2025 Thana- CHAKIA District- East Champaran

1. Kumari Sammi Wife of Sri Alok Abhinandan Resident of No. 8 9th Cross, 5th Main Rad, Agarhara Rajaji nagar, Ps- Baseshwar Nagar Dist- Bangalore (karnataka)
2. Shibu Kumari Daughter of Sri Suresh Thakur Resident of Crossing Republic, Gaziabad, Ps- Gaziabad, Dist- Gaziabad UP

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur, Adv. Mr. Ritwik Thakur, Adv. Mrs. Vaishnavi Singh, Adv.
For the State	:	Mr. Lalan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 26-05-2025 Heard learned counsel for the petitioners, learned counsel for the informant and learned A.P.P. for the State.

2. The petitioners are apprehending their arrest in connection with Chakia P.S. Case No. 30 of 2025 registered for the offences punishable under Sections 103(1), 80, 238, 3(5) of Bhartiya Nyaya Sanhita, 2023.

3. As per prosecution case, marriage of informant's daughter and co-accused Sameer Thakur took place on 29.11.2017 and at the time of solemnization of marriage, Rs. 30,00000/- in cash including car and jewellery was given to co-accused Sameer Thakur. It is further alleged that out of the aforesaid wedlock, two sons were born aged about five years and one year. It is further alleged that on 14.10.2024 at 11:06



AM, son-in-law of informant informed on phone that her daughter committed suicide by hanging herself. On the said information, informant alongwith her husband and son came to the in-laws house of the deceased and found the dead body kept in ice. Thereafter, dead body was cremated. The informant has doubt that her daughter was killed by the petitioners and other under conspiracy.

4. Learned counsel for the petitioners submits that petitioners are innocent and have committed no offence as alleged in the FIR and they have falsely been implicated in this case. He further submits that marriage between informant's daughter/deceased and co-accused Sameer Thakur took place in the year 2017 and she died in the year 2024 and as per prosecution case itself, when informant came to in-laws house of the deceased she found that dead body was kept in ice and the cremation had taken place in the presence of informant and other family members which clearly shows that there was no conspiracy behind the prosecution story as alleged in the FIR. Learned counsel further submits that death certificate was issued on 21.12.2024 and FIR was lodged on 23.01.2025 i.e after delay of more than one month without having any rhyme and reason. He further submits that marriage of informant's daughter with



co-accused Sameer Thakur took place on 29.11.2017 and informant's daughter died on 14.10.2024 but during the said period of near about seven years, no complain whatsoever was ever lodged either by the deceased or by the informant or by any of her family members. There was cordial relation between informant's daughter/ deceased and co-accused Sameer Thakur and they were blessed with two sons aged about 5 years and one year and the informant has lodged the case with the reason best known to her against the petitioners and other. Petitioner no. 1 is married nanad whose marriage took place in the year 2011 and she is residing at Bangalore with her husband and FIR clearly denotes that she is married lady. Petitioner no. 2 resides in Delhi NCR. Learned counsel further submits that deceased was residing with her husband at Chakia at the relevant time. In this way, petitioners have nothing to do with the family affairs of deceased and co-accused Sameer Thakur. Petitioners have no say in the family affairs of the deceased as they are residing separately from the deceased. In the light of aforesaid facts and circumstance, no offence is made out against the petitioners, as alleged in the FIR. Apart from that, petitioners bear no criminal antecedent.

5. Learned counsel for the informant and learned



A.P.P. for the State vehemently opposed the prayer for anticipatory bail of the petitioners.

6. Considering the facts and circumstances of the case, keeping in view clean antecedent of the petitioners, petitioners are sister-in-law of the deceased and they are residing separately and have no say in the family affairs of the deceased and co-accused Sameer Thakur, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, East Champaran, Motihari in connection with Chakia P.S. Case No. 30 of 2025, subject to the conditions as laid down under Section 482(2) of B.N.S.S.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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