

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51864 of 2025

Arising Out of PS. Case No.-80 Year-2025 Thana- JAMUI District- Jamui

Sonu Kumar Sah S/o Late Shibu Sah Resident of village- Satgama, PS and District- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amar Prakash

For the Opposite Party/s : Ms.Nirmala Kumari

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 22-09-2025 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 103(1) and 3(5) of the Bharatiya Nyaya Sanhita.

3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and the informant alleges that his sister was married to petitioner about 18 years ago, but the petitioner used to torture her as she was not able to conceive, though his sister had conceived, but the child at the time of delivery died, further the petitioner performed his second marriage with Lagni Devi, next alleges that his sister on 20-2-2025 called and disclosed that petitioner and Lagni Devi forcibly administered poison, accordingly he reached the place



of occurrence and found the dead body of his sister lying.

4. The learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is next submitted that from perusal of the allegation as alleged in the FIR, it would manifest that sister of the informant was married to the petitioner about 18 years back. It is further submitted that since sister of the informant was not conceiving, as such some dispute had arisen, but subsequently she conceived and the child died at the time of delivery, on account of which the victim started remaining in depression and thus committed suicide. It is also submitted that the marriage was 18 years old and if the petitioner was torturing her in the manner as alleged, in that event either the victim or the informant would have instituted a case, but then same was not done. It is also submitted no doubt in the FIR it is alleged that petitioner performed his second marriage with Lagni Devi, but then a supplementary affidavit has been filed, wherein at Para-3, it has been specifically pleaded that petitioner neither prior nor after the death of the victim performed his second marriage. It is further submitted that Lagni Devi is wife of Guddu Manjhi and has children out of the wedlock, but in order to give serious colour to the case, a false allegation has been alleged. It is also



submitted that had the petitioner been involved in the occurrence, in that event, efforts would have been made to dispose of the dead body with a view to conceal evidence, but then from perusal of the FIR itself, it would manifest that the dead body of the victim was lying in the house. It is also submitted that had the petitioner along with Lagni Devi poisoned the victim, in that event, they would not have permitted the victim to inform the informant, which also casts an aspersion on the case of the prosecution. It is next submitted that petitioner will not abscond rather will cooperate in the investigation to prove 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 Jamui P.S. Case No. 80 of 2025, subject to the conditions as laid down under



Section 482 (2) of the BNSS.

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 the petitioner, despite giving assurance to this Court, is not cooperating 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)

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