

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51937 of 2025

Arising Out of PS. Case No.-10 Year-2025 Thana- SARSI District- Purnia

Nitish Kumar Sah @ Nitish Kumar S/o Awdhesh Sah R/O- Village- Dharhar
Jamuniya, P.S.- Dhamdaha, District- Purnea.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sharma Devi W/o Harekrishnan Mahto R/o Barena, ward no. 10, P.s.- Sarsi,
Distt.- Purnea

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rajesh Kumar Singh, Sr. Adv
	:	Mr. Manish Kumar, Adv
For the Opposite Party/s	:	Mr. Pranav Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 15-11-2025 Heard the parties.

2. The petitioner seeks bail in connection with Sarsi P.S.

Case No. 10 of 2025 registered for the offence under Sections 80
and 3(5) of the BNS.

3. The petitioner is named in the F.I.R. and is in custody
since 08.04.2025.

4. The allegation against the petitioner is to commit
cruelty and oust daughter of informant after her marriage from her
matrimonial home, where after she committed suicide.

5. Mr. Rajesh Kr. Singh, learned senior counsel
appearing on behalf of the petitioner submitted that face of FIR
categorically suggest that on the date of occurrence 29.11.2024,
immediately after arrival of daughter of informant to her
matrimonial home, this petitioner left his home. It is submitted that
daughter of informant was abused and assaulted by her in-laws and



other family members in absence of this petitioner. It is submitted that on 30.11.2024 when this informant visited matrimonial home of his daughter he found his daughter in half-naked condition, upon enquiry it came to his knowledge that she remained outside home throughout night as she was ousted by family members and it was also said by her daughter that her in-laws will allow to continue in her matrimonial home only after realizing demand of dowry as raised for Rs. 5 lakhs.

6. Arguing further, it is submitted that after incident of 30.11.2024 daughter of informant came to her parental home, where on 11.01.2025 she committed suicide. In this context Mr. Singh, submitted that occurrence of 11.01.2025 cannot be said to be taken place under for the occurrence or allegation which was said to be committed on 30.11.2024 by family members. It is submitted that entire FIR along with investigation nowhere suggests that act of petitioner is of such nature which may force daughter of the informant to commit suicide without leaving no any other option. In support of his submission learned counsel relied upon the legal report of Hon'ble Supreme Court as available through **Gurcharan Singh v. State of Punjab, (2017) 1 SCC 433**. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and moreover, investigation of this case is



completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

7. Learned APP while opposing the prayer of bail submitted that petitioner alleged to solemnize marriage with daughter of informant through FIR. However, he could not dispute submission as submitted aforesaid.

8. In view of aforesaid factual submission and by taking note of fact as prima-facie on the date of occurrence i.e., 30.11.2024, petitioner was not available at his home, whereas the occurrence of suicide admittedly took place in the parental home on 11.01.2025, where investigation nowhere suggests that petitioner left no other option for deceased except suicide, coupled with fact that investigation of this case is already completed where petitioner remains in custody since 08.04.2025, accordingly petitioner above named, is directed to be released on bail in connection with Sarsi P.S. Case No. 10 of 2025 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M. Purnea/concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C/ Section 480(3) of BNSS.

(Chandra Shekhar Jha, J.)

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