

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58432 of 2025

Arising Out of PS. Case No.-130 Year-2025 Thana- MOTIHARI MUFASIL District- East
Champaran

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Shambhu Lal Sah, S/O Late Mithu Sah, Resident of Village- Kataha
Lokhnathpur Ward No. 2, P.S.- Muffasil, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Madhurendra Kumar, Advocate

For the Opposite Party/s : Mr. Tapeswar Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 29-08-2025 Heard learned counsel for the petitioner and

learned A.P.P. for the State.

2. Petitioner apprehends his arrest in connection

with Muffasil P.S. Case No. 130 of 2025 registered for

the offences under Sections 130, 3 (5) of B.N.S.

3. As per the prosecution case, the informant

has alleged that the petitioner and other named accused

persons have assaulted and killed his sister due to non-

fulfillment of the demand of dowry.

4. Learned counsel for the petitioner submits

that the petitioner happens to be the grandfather of the



husband of the deceased. It has been submitted that from mere perusal of the FIR, it would appear that the deceased was initially taken to the Rambha Hospital, Motihari by the accused persons, where she was being treated, and during the course of treatment she died. It has been stated that the marriage of the grandson of the petitioner was solemnized in the year 2015 and the present case is a false and concocted case lodged against all the accused persons. It has lastly been submitted that the petitioner has a clean antecedent.

5. Learned APP for the State has opposed the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and the submissions advanced on behalf of the parties, let the petitioner above named be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bonds of Rs.10,000/-(ten thousand) with two sureties of the like



amount each to the satisfaction of the learned Court below where the case is pending/successor court in connection with Muffasil P.S. Case No. 130 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure read with corresponding Section 482(2) of B.N.S.S. as well as subject to the following conditions:-

(i) One of the bailors of the petitioner shall be his close relative.

(ii) The petitioner shall remain physically present in Court on each date of the trial.

(iii) In case of absence on two consecutive dates, or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the Court concerned.

(iv) If the petitioner is found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.



(v) The learned Court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

7. Accordingly, the prayer for anticipatory bail is allowed.

(Sourendra Pandey, J)

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