

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.62521 of 2025**

Arising Out of PS. Case No.-41 Year-2024 Thana- Kinjar District- Arwal

1. Rajendra Kumar Sahani @ Rajendra Sahani S/o Late Gulten Sahani R/o Village- Ebrahimpur, P.S.- Kinjar, Dist- Arwal
2. Gharbharni Devi S/o Rajendra Kumar Sahani @ Rajendra Sahani R/o Village- Ebrahimpur, P.S.- Kinjar, Dist- Arwal
3. Gautam Kumar Sahani @ Gautam Sahani S/o Rajendra Kumar Sahani @ Rajendra Sahani R/o Village- Ebrahimpur, P.S.- Kinjar, Dist- Arwal
4. Puspa Devi @ Munni Devi @ Pushpa Devi W/o Sanjay Kumar Nishad @ Sanjay Nishad R/o Mohalla- Arwal Sipah, Ward No. 8, P.S.- Arwal, Distt- Arwal
5. Sanjay Kumar Nishad @ Sanjay Nishad S/o Late Gangadaya Chaudhary R/o Vill- Arwal Sipah, Ward No. 8, P.S.- Arwal, Distt- Arwal

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Shamir Mehra

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

**CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA**

ORAL ORDER

2      12-09-2025      Heard learned counsel for the petitioners and learned  
Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 304-B, 120-B, 34 of the Indian Penal Code.

3. The story of the prosecution is that the sister of the informant, who was married to Kaushal Adhikari and also had two children, was assaulted by her husband and her in-laws due to which she fell ill and was even treated at PMCH and subsequently, she died.

4. Learned counsel for the petitioners submits that the petitioners are all father-in-law, mother-in-law, brother-in-



law, married sister-in-law (Nanad) and the husband of the sister-in-law. There is general and omnibus allegation in the first information report of demand of dowry and torture on account of non-fulfillment of the same. It has been pointed out that as a matter of fact, the deceased was suffering from cancer which would be evident from the postmortem report (Annexure-3) which indicates the cause of death to be due to medical disorder (liver disease) and finally leading to cardio respiratory arrest and so far as the external and internal injury is concerned, no abnormality has been detected and no sign of any struggle has been seen. Further, the death certificate of the deceased, which is Annexure-2 to the present application, also indicates the disease to be ATT induced hepatitis and hepatic encephalopathy and the cause of death is cardio respiratory arrest. It is further submitted that the first information report itself also indicates that the deceased used to keep unwell. Further, after the investigation, the police has submitted the charge-sheet only under Section 498A of the IPC however, subsequently cognizance was taken under Section 304B of the IPC also along with Section 498A IPC. Further, the husband of the deceased who is primarily responsible for the welfare of his wife has already surrendered and he was granted regular bail.



5. Learned APP for the State however, opposes the grant of anticipatory bail considering the seriousness of the allegations.

6. Taking into consideration the facts and circumstances and also considering that the petitioners are all in-laws of the deceased and the medical reports indicate that the cause of death is due to cardio respiratory arrest and further considering the fact that the Investigating Agency also found the case to be true only under Section 498A of the IPC, let the above named petitioners, who have no criminal antecedent, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each 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 Kinjar Thana P.S. Case No. 41 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C./Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023.

**(Soni Shrivastava, J)**

devendra/-

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