

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69817 of 2025

Arising Out of PS. Case No.-36 Year-2025 Thana- DHAUDAD District- Rohtas

- 1. Sunita Devi W/o Jitendra Singh R/o Village and PS- Dhaudadh, Dist- Rohtas
- 2. Jitendra Singh S/o Late Bhagwan Singh R/o Village and PS- Dhaudadh, Dist- Rohtas
- 3. Ankit Kumar S/o Jitendra Singh R/o Village and PS- Dhaudadh, Dist- Rohtas

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 70365 of 2025

Arising Out of PS. Case No.-36 Year-2025 Thana- DHAUDAD District- Rohtas

Sani Kumar @ Sanni Kumar @ Shani Kumar S/O Jitendra Singh R/O Village and P.S - Dhaudadh, Dist.- Rohtas

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 69817 of 2025)
For the Petitioner/s : Mr. Devendra Kr. Sinha, Sr. Adv.
Mr. Babu Nandan Prasad, Adv.
For the Opposite Party/s : Mr. Parmanand Kumar, APP
(In CRIMINAL MISCELLANEOUS No. 70365 of 2025)
For the Petitioner/s : Mr. Devendra Kr. Sinha, Sr. Adv.
Mr. Babu Nandan Prasad, Adv.
For the Opposite Party/s : Mr. Md. Aslam Ansari, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 09-10-2025 Heard Mr. Devendra Kr. Sinha, learned Senior Counsel

for the petitioners and learned APPs for the State.

2. The petitioners apprehend their arrest in connection

with Dhaudadh P.S. Case No. 36 of 2025 for the offence registered



under sections 103(1), 80, 86, 3(5) of BNS, 2023.

3. As per the prosecution story, the informant alleged that the lady was married to the accused, Sanni Kumar in the year 2020 but she was always tortured for dowry and on the fateful day, came to know that she has been killed and hanged. This led to the FIR.

4. Learned Sr. Counsel for the petitioners submit that a perusal of the FIR would show that the entire family members including the aged mother-in-law, father-in-law, brother-in-law beside the husband have been made accused. The death took place on 02.05.2025, the family members of the lady was there, participated in the cremation after the post-mortem was conducted but later, those inimical to them, took signature and led to the FIR which would reflect that on 09.05.2025, it has formally come to be lodged. He has taken this Court to the learned Sessions Judge order to show that the cause of death has been recorded as asphyxia due to hanging.

5. The submission is that now that the FIR has been lodged, all of them are ready to face the trial as also to co-operate in the investigation, however, the protection be given as they are already bereaved into death of a lady in the family and now this FIR. To support the claim, learned Sr. Counsel has taken this Court to Annexure-4, a report submitted by the Superintendent of the



Mental Asylum, Koilwar, Bhojpur to the Police in connection with this case to show that the lady was suffering from mental disease and had regularly visited the said place between 25.09.2023 to 29.11.2024 and in continuation of that, in the spur of moment, she committed suicide. The family members had no role to play in it.

6. Both the learned APPs for the State, on the other hand, opposes the prayer for anticipatory bail submitting that the allegation in the FIR shows that the lady was hanged to death.

7. Considering the submissions of the parties as also the document provided by the mental asylum, Koilwar to the Police showing her mental illness coupled with the fact that the lady died and the reason has been recorded as Asphyxia due to hanging, FIR is there after couple of days, all the accused shall be facing the trial, in the aforesaid background, this Court is inclined to grant them the anticipatory bail with conditions.

8. Let the petitioners in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned J.M. 1st Class, Sasaram, Rohtas in connection with Dhaudadh P.S. Case No. 36 of 2025 subject to condition as laid down under Section 438(2) of the Cr.P.C.



(i) one of the bailor should be the family members/relatives of the petitioners, who shall provide official document to show his *bona fide*;

(ii) the petitioners shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial court itself;

(iii) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioners shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

9. Nothing recorded in the present order shall be taken up in course of trial as the said order has been passed only for consideration of grant of anticipatory bail to the petitioners.

(Rajiv Roy, J)

Vijay Singh/-

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