

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71737 of 2025

Arising Out of PS. Case No.-380 Year-2024 Thana- GHOSI District- Jehanabad

Sujeet Kumar S/o Suresh Prasad R/o Village- Dharharpur, P.S.- Ghoshi,
District- Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Priya, Adv.

For the Opposite Party/s : Mr. Shyameshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 15-10-2025 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 123,
103(1) and 3(5) of the B.N.S., 2023.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and the informant
alleges that his daughter was married to the petitioner on
21.07.2014, after marriage, the accused persons started
demanding of Rs.5 lacs, next alleges that out of the wedlock,
three children were born, further alleges that petitioner on
21.07.2024 called his son Rahul and informed that his sister has
been killed by administering poison, thus alleges that on account
of non-fulfillment of dowry demand his daughter was killed.



4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is next submitted that informant is not an eyewitness to the occurrence. It is also submitted that the marriage of the deceased with the petitioner was performed on 21.07.2014 and the victim died after 10 years of marriage and in these 10 years no case ever came to be instituted either by the deceased or the informant alleging torture, on account of non-fulfillment of dowry demand. It is further submitted that it does not appear probable that had the petitioner been involved in the occurrence in that event he would have called Rahul and disclosed that his sister has been killed by administering poison. It is next 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 the dead body was lying in the house and was sent for postmortem. It is also submitted that from perusal of the order impugned, it would manifest that the same also records that postmortem report attached to the case diary supports the prosecution case, which amply demonstrates that the victim out of anger, consumed poison. It is next submitted that after the FIR came to be instituted thereafter the informant came to know



that victim had a fight with her sister-in-law (Gotni) and in anger she consumed poison and petitioner was not involved in the occurrence as such a compromise petition was filed before the learned District Court.

5. Learned A.P.P. opposes the prayer for anticipatory bail of the petitioner and submits that Section 103(1) BNS is not compoundable. It is further submitted that investigation is continuing and whether petitioner forcefully administered poison to the deceased or the deceased consumed poison out of anger, on account of fight, is an aspect of investigation and petitioner is the husband, on which, the learned counsel for the petitioner submits that since investigation is continuing, the truth will come to the fore and the petitioner will cooperate in the investigation to prove his innocence.

6. After hearing the learned counsel for the parties, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.25,000/- (Rupees Twenty Five 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 Ghoshi P.S. Case No.380/2024, subject to the



conditions as laid down under Section 482(2) B.N.S.S.

7. However, it is made clear that 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 co-operating in the investigation in that event the learned trial court shall be at liberty to cancel the bail bonds of the petitioner.

8. It is further made clear that if the charge sheet is submitted connecting the petitioner with the offence, in that event, the present anticipatory bail order shall loose its effect.

(Satyavrat Verma, J)

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