

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73900 of 2025

Arising Out of PS. Case No.-285 Year-2024 Thana- SIDHWALIYA District- Gopalganj

1. Usha Devi W/o Mewalal Sahani R/o Hasanpur Mathiya, New Tola, P.S.- Sidhwaliya, District- Gopalganj
2. Om Prakash Sahani @ Vikash Sahani @ Vikash Kumar S/O Mewalal Sahani R/o Hasanpur Mathiya, New Tola, P.S.- Sidhwaliya, District- Gopalganj
3. Pinki Devi @ Pinki Kumari D/O Sudama Sahani, W/O Om Prakash Sahani R/o Hasanpur Mathiya, New Tola, P.S.- Sidhwaliya, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Subhash Kumar, Adv.

For the Opposite Party/s : Mr. Rabindra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 3 27-11-2025 1. Heard learned counsel for the petitioners and learned A.P.P. for the State, Mr. Rabindra Kumar.
2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 80, 238, 115(2), 74, 303(2) and 3(5) of the BNS, 2023.
3. Learned counsel for the petitioners submits that a supplementary affidavit has been filed online and the hard copy is being filed in the Court.
4. The supplementary affidavit filed on behalf of the petitioners is taken on record.
5. It is next submitted that petitioners are persons with



clean antecedent and the informant alleges that her daughter was married to Ajay on 24.04.2024, further after marriage, all the accused persons used to torture her daughter, further on 09.10.2024 at 04:00 PM, the accused persons along with 5-6 unknown accused strangled the victim to death, on coming to know about the occurrence, she reached the place of occurrence and found the dead body lying, thus, tried to inform the police, but the accused persons assaulted her on account of which she was unveiled and her mobile was snatched and the dead body was cremated.

6. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant. It is next submitted that from perusal of the allegation as alleged in the FIR, it would manifest that informant is not an eye witness to the occurrence and the entire allegation hinges around suspicion. It is further submitted that even allegation of torture is general and omnibus in nature. It is further submitted that the FIR does not even remotely disclose that as to what was being demanded in dowry for non-fulfillment of which the victim was being tortured.

7. The learned counsel for the petitioners next submits that petitioners are relatives of the husband of the deceased. It is



submitted that petitioner no. 1 is cousin aunt of Ajay, petitioner no. 2 is cousin brother of Ajay and petitioner no. 3 is cousin sister-in-law of Ajay and is wife of petitioner no. 2. It is next submitted that petitioners do not have any role to play in the occurrence and they live separately and were not involved in the life of Ajay and deceased on daily basis. It is further submitted that in a mechanical manner with general and omnibus allegation, the petitioners came to be implicated with a view to coerce Ajay into submission. It is further submitted that relationship as recorded hereinabove is pleaded in the supplementary affidavit. It is also submitted that petitioners will not abscond rather will cooperate in the investigation to prove their innocence.

8. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

9. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each 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 Sidhwaliya P.S. Case No. 285 of 2024 subject to the conditions as laid down under Section 482 (2) of the BNSS.

10. However, it is made clear that in the event if the Investigating Officer of the case files an application before the learned Trial Court bringing to its notice that petitioners despite giving assurance to this Court are not co-operating in the investigation, in that event the learned Trial Court shall be at liberty to cancel the bail bonds of the petitioners.

11. Let a copy of this order be sent to the concerned police station through the learned Trial Court.

12. Accordingly, the instant anticipatory bail application stands allowed.

(Satyavrat Verma, J)

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