

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.77692 of 2025**

Arising Out of PS. Case No.-222 Year-2025 Thana- PAKRIDAYAL District- East Champaran

1. Mukesh Kumar Son of Achchelal Sah Resident of Village - Akauna, Chorma Ward No. 06, P.S. - Pakaridayal, District - East Champaran.
2. Sunil Sah Son of Achchelal Sah Resident of Village - Akauna, Chorma Ward No. 06, P.S. - Pakaridayal, District - East Champaran.
3. Sunila Devi Wife of Sunil Sah Resident of Village - Akauna, Chorma Ward No. 06, P.S. - Pakaridayal, District - East Champaran.
4. Anil Sah Son of Achchelal Sah Resident of Village - Akauna, Chorma Ward No. 06, P.S. - Pakaridayal, District - East Champaran.
5. Sunita Devi Wife of Anil Sah Resident of Village - Akauna, Chorma Ward No. 06, P.S. - Pakaridayal, District - East Champaran.
6. Sagun Sah @ Sugan Sah Son of Achchelal Sah Resident of Village - Akauna, Chorma Ward No. 06, P.S. - Pakaridayal, District - East Champaran.
7. Shilpe Devi Wife of Sagun Sah Resident of Village - Akauna, Chorma Ward No. 06, P.S. - Pakaridayal, District - East Champaran.
8. Achchelal Sah Son of Gyanchandra Mahto Resident of Village - Akauna, Chorma Ward No. 06, P.S. - Pakaridayal, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

**Appearance :**

|                            |                         |
|----------------------------|-------------------------|
| For the Petitioner/s :     | Mr.Madhurendra Kumar    |
| For the Opposite Party/s : | Mr.Abhay Kumar Roy, APP |
|                            | Mr. Abhishek Kumar, Adv |
|                            | Mr. Hemant Ray, Adv     |

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

- 2      02-12-2025      1.      Heard learned counsel for the petitioners, learned A.P.P. for the State and the learned counsel appearing on behalf of the informant.
2.      The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 80, and



3(5) of the Bharatiya Nyaya Sanhita.

3. The learned counsel for the petitioners, at the outset, submits that the name of the petitioner No. 6 has been recorded as Sagun Sah when his name is Sukan Sah and thus seeks permission to rectify the name.

4. Permission is recorded.

5. Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and Petitioner nos. 3, 5 and 7 are women and the informant alleges that his daughter was married to Rakesh 29-5-2023, next alleges that his daughter was killed by the accused person including the petitioners on 19-5-2025 at 12 midnight by strangulating her for non-fulfillment of demand of a motorcycle.

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 the informant is not an eyewitness to the occurrence. It is further submitted no doubt the occurrence took place within seven years of marriage, but then all deaths are not dowry deaths. It is also 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 the evidence, but then the dead body was sent



for post-mortem and the doctor opined the cause of death as asphyxia due to throttling. It is further submitted that it does not appear probable that all the accused persons together would have strangled/throttled the deceased. It is submitted that even demand of the dowry and torture is general and omnibus in nature. It is next submitted that whenever any dispute in between the husband and the wife arises and the occurrence of the nature as alleged takes place, the entire family members are implicated in a mechanical manner with general and omnibus allegations. It is next submitted that the petitioners will not abscond rather will cooperate in the investigation to prove their innocence.

7. Learned A.P.P. for the State and the learned counsel appearing on behalf of the informant opposes the prayer for anticipatory bail of the petitioners.

8. 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 Pakaridayal P.S. Case No. 222 of 2025, subject to the conditions as laid down under Section 482 (2) of the BNSS.

9. 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 the petitioners, despite giving assurance to this Court, are not cooperating in the investigation, in that event, the learned trial court shall be at liberty to cancel the bail bonds of the petitioners.

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

**(Satyavrat Verma, J)**

Sumit/-

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