

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75360 of 2025

Arising Out of PS. Case No.-82 Year-2025 Thana- R S P.S. District- Araria

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1. RAMCHANDRA SAH Son of Late Jipchhu Sah Resident of village - Kadwa, Ward No.- 9, P.S. Araria R.S., District - Araria
 2. Sarwan Sah Son of Ghutai Sah @ Bhutai Sah @ Late Ghutai Sah Resident of village - Kadwa, Ward No.- 9, P.S. Araria R.S., District - Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Md Naushaduzzoha, Advocate

For the Opposite Party/s : Mr. Umesh Lal Verma, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 19-11-2025 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 80 and 3(5) of the BNS, 2023.

3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and the informant alleges that her daughter was married with Pawan in the year 2019, after marriage, her daughter was tortured for car and money, next alleges that on 14.05.2025, the accused persons killed her by administering poison.

4. Learned counsel for the petitioners submits that



petitioners have been falsely implicated in the instant case by the informant, it is next submitted that petitioner no. 1 is father-in-law of the deceased and petitioner no. 2 is distantly related maternal uncle of the husband of the deceased. It is next submitted that from perusal of the allegation as alleged in the FIR, it would manifest that informant alleges that her daughter was married to Pawan in the year 2019. It is next submitted that in between 2019 till 2025 no case ever came to be instituted either by the informant or the deceased alleging torture on account of non-fulfillment of demand of dowry. It is also submitted that even allegation of demand of dowry is general and omnibus in nature. It is next submitted that no doubt the victim died within seven years of marriage, but then all deaths are not dowry deaths. It is next submitted that whenever any dispute arises in between the husband and the wife 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 further submitted that even informant is not an eye witness to the occurrence.

5. The learned counsel for the petitioners next submits that on account of dispute of the deceased with her husband, she consumed salphos, on account of which she died. It is also



submitted that had the petitioners 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 sent for postmortem. It is next submitted that petitioners will not abscond rather will cooperate in the investigation to prove their innocence.

6. At this stage, the learned counsel appearing on behalf of the petitioners submits that husband of the deceased is in custody.

7. Learned A.P.P. for the State 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 Araria R.S. P.S. Case No. 82 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 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.

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

11. **Accordingly, the instant anticipatory bail application stands allowed.**

(Satyavrat Verma, J)

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