

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76026 of 2025

Arising Out of PS. Case No.-379 Year-2025 Thana- NOORSARAI District- Nalanda

Sandeep Kumar S/o Indradev Chauhan @ Indradev Prasad R/o Village-
Kathanpura, P.S.- Noorsarai, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dilip Kumar, Advocate

For the Opposite Party/s : Mr. Md. Mushtaque Alam, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 04-12-2025 1. Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel appearing on behalf of
the informant.

2. The petitioner apprehends his arrest in a case
registered for the offence punishable under Section 108 of the
BNS.

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 in the
year 2013 and, out of the wedlock three children were born, but,
the couple had frequent fights. Further, on 01.07.2025, the
victim called and asked the informant to bring her back to her
parental home as she does not intend to stay with the petitioner,
but, the matter was pacified. It is next alleged that the daughter
of the informant being fed up with the torture of the petitioner,



consumed poison and died.

4. Learned counsel appearing on behalf of the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is further submitted that from perusal of the allegation as alleged in the FIR, it would manifest that the daughter of the informant was married to the petitioner in the year 2013 and out of the wedlock three children were born. It is next submitted that in these twelve years, no case ever came to be instituted either by the deceased or by the informant alleging torture of the victim at the hands of the petitioner. It is also submitted that even the FIR does not disclose as to why frequent fights in between petitioner and the deceased took place. It is further submitted that normal wear and tear of life has been exaggerated by alleging that on account of fight in between petitioner and the deceased, the victim consumed poison and died.

5. Learned counsel appearing on behalf of the informant submits that no doubt, the marriage of the petitioner with the deceased was twelve years old, but, then the petitioner fell in love with a lady, namely, Champa Kumari and the deceased came to know about the relationship and started opposing, but when the petitioner became adamant to perform



his marriage, the victim consumed poison.

6. Learned counsel appearing on behalf of the petitioner rebuts the said submission of the learned counsel appearing on behalf of the informant and submits that had the petitioner fallen in love with another lady, in that event, the deceased would have disclosed the same to the informant but then the FIR does not even remotely suggest that petitioner was having any extra marital relations. It is further submitted that petitioner knows Champa Kumari, who is a worker and works under him, as such, the informant by way of afterthought now is alleging that petitioner intends to perform his second marriage.

7. Learned counsel appearing on behalf of the petitioner next submits that petitioner has three children to look after and a supplementary affidavit has been filed to the effect that petitioner will not perform his second marriage. It is also pleaded in the supplementary affidavit that Champa Kumari is married to Sanjay Chauhan, Resident of Village Pojhpar, P.O. Bhatta, P.S. Kashichak, District Nawada and has two children, hence, question of marrying a married lady does not arise.

8. Learned counsel for the petitioner reiterates and submits that he has three children to look after.

9. Learned counsel appearing on behalf of the



informant, in view of the stand taken by the petitioner in the supplementary affidavit, does not oppose the anticipatory bail application.

10. Considering the submissions made by the learned counsel for the petitioner, let the petitioner above-named, in the event of his 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) 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 Noorsarai P.S. Case No. 379 of 2025, subject to the conditions as laid down under Section 482(2) of the BNSS.

(Satyavrat Verma, J)

Kundan/-

U		T	
---	--	---	--

