

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4604 of 2026

Arising Out of PS. Case No.-285 Year-2025 Thana- PANAPUR District- Saran

Mustafa Hussain @ Musatufa Husain Son of Mulazim Hussain @ Molajim
Hussain Resident of Village- Sonbarsa, P.S.- Panapur, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Mili Kumari

For the Opposite Party/s : Mr.Uday Pratap Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 13-03-2026 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 80 and
3(5) of the Bharatiya Nyaya Sanhita.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and the informant
alleges that his sister was married to Musaraf about two years
ago, further after marriage, his sister was tortured for dowry,
further on 8-10-2025, the informant brought his sister from her
parental home to the matrimonial home and on 9-10-2025 at
9:30 am, he got a call from Sabir, who asked him to come,
accordingly he reached the place of occurrence and saw the
dead body of his sister lying with noose around her neck, thus
alleges that accused persons killed her.



4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant, being brother of the husband of the deceased. It is next submitted that from perusal of the allegations as alleged in the FIR, it would manifest that informant is not an eyewitness to the occurrence and the entire allegation hinges around suspicion and the FIR does not even remotely suggest that as to what was being demanded in dowry. It is further 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 allegation. It is also submitted that had the petitioner and his family members 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 for ascertaining the cause of death. It is further submitted that husband of the deceased had approached this Court seeking anticipatory bail by filing Cr. Misc No. 8286 of 2026 and the same came to be allowed by an order dated 17-2-2026 by a learned Co-ordinate Bench. It is thus submitted that the case of the petitioner is on better footing. It is also submitted that petitioner will not



abscond rather will co-operate in the investigation to prove his innocence.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender 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 Panapur P.S. Case No. 285 of 2025, subject to the conditions as laid down under Section 482 (2) of the BNSS.

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

(Satyavrat Verma, J)

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