

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11946 of 2026

Arising Out of PS. Case No.-537 Year-2024 Thana- SARAIYA District- Muzaffarpur

Umesh Sahni Son of Satahu Sahani Resident of Village - Rewa Basantpur,
Malah Tola, P.S.- Saraiya, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Shekhar Anand, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH

ORAL ORDER

2 12-03-2026 Heard Mr. Chandra Shekhar Anand, learned counsel

appearing on behalf of the petitioner and Mr. Ajit Kumar,

learned APP for the State.

2. Petitioner seeks pre-arrest bail in connection with
Saraiya P.S.Case No.537 of 2024, registered for the offences
punishable under Sections 80, 238, 61(2) of BNS.

3. As per the allegation made in the FIR, the petitioner
along with the other co-accused persons killed the daughter of
the informant and disposed of her dead-body, due to non-
fulfilment of the demand of the dowry.

4. Learned counsel appearing on behalf of the
petitioner submitted that the petitioner is innocent and he has
not committed any offence. Learned counsel in paragraph no.8
of the present bail application has specifically stated that
petitioner has no relation with the informant or with the husband



of the deceased, namely, Umesh Sahani. Petitioner has not participated in assault or demand of dowry and in the commission of murder.

5. *Per contra*, learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail to the petitioner.

6. Having heard the rival submissions made on behalf of the respective parties and on perusal of the allegations made in the FIR, it appears that the name of the husband of the deceased has been mentioned as 'Umesh Sahni,' whereas the present petitioner, who is a co-villager, bears a similar name, i.e., Umesh Sahni. It further appears that the petitioner has been implicated in the present case merely on suspicion.

7. In such circumstances, *prima facie*, the offence under Section 80 of BNS does not appear to be attracted against the petitioner, as the said provision pertains to acts of cruelty or harassment in connection with demand of dowry by the husband or his relatives. In paragraph no. 8 of the present bail application, the petitioner has specifically denied having any connection with the matrimonial family of the deceased. The petitioner has *prima facie* made out a case to be released on pre-arrest bail.

8. The petitioner is directed to be released on pre-



arrest bail, in the event of his arrest or surrender before the learned district court within a period of four weeks from today, on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned ACJM-4th (West), Muzaffarpur/concerned court, in connection with Saraiya P.S.Case No.537 of 2024, subject to conditions as laid down under Section 482(2) of BNSS of 2023

9. The learned district court is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases as what has been stated in paragraph No.3 of the bail application, this order will automatically lose its force.

(Purnendu Singh, J)

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