

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8804 of 2026

Arising Out of PS. Case No.-50 Year-2025 Thana- Pastpar Pusthi District- Saharsa

1. Bhushan Kumar S/o Rameshwar Mehta Resident of - Ward no. 2, Pama, P.S - Pastpar, District - Saharsa, Pin - 852107
2. Rameshwar Mehta S/o Jamun Mehta Resident of - Ward no. 2, Pama, P.S - Pastpar, District - Saharsa, Pin - 852107

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Piyush Kumar Pandey

For the Opposite Party/s : Mr.Dr.Mrityunjaya Kr.Gautam

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 01-04-2026 Heard Learned Counsel for the petitioners and
Learned APP for the State.

2. The petitioners are apprehending arrest in connection with Pastpar P.S. Case No.50 of 2025 lodged on 14.06.2025, for the offences punishable under Sections 103(1) and 238 of the B.N.S., 2023.

3. As per the prosecution, FIR has been lodged against five named accused persons including the present petitioners with allegation that they tortured the informant's grand daughter due to which she consumed poison which resulted into her death.

4. Learned Counsel for the petitioners submits that the



petitioners are innocent and have committed no offence. Counsel also submits that the petitioners are brother-in-law (Bhaisur) and father-in-law of the deceased. He further submits that husband of the deceased used to torture and assault his wife due to which she consumed poison and she died.

5. Counsel submits that the criminal antecedent of the petitioner No.1 is not clean as there is one criminal case relating to Excise Act, pending against him, whereas petitioner No.2 has clean antecedent. He further submits that case diary has been called for in which there is no materials against the petitioners about commission of any role due to which she caused death.

6. Learned APP for the State opposes the prayer for bail of the petitioners and submits that in the case diary, independent witnesses have accepted that dispute and hot discussion always used to take place between the husband and wife and only due to torture made by her husband, she consumed poison. Upon perusal of the statement of independent witnesses, paragraph 121 and 122, it is very much clear that it is husband, who is responsible for such suicide done by wife.

7. As such, in the present facts and circumstances of this case, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the



learned Court below within a period of 4 weeks from today, on
furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand)
each as mentioned in Section 2(1)(d) of the BNSS, 2023 to the
satisfaction of ACJM-2nd, Saharsa, in connection with Pastpar
P.S. Case No.50 of 2025, subject to the conditions as laid down
U/s 482(2) of the BNSS, 2023.

(Dr. Anshuman, J)

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