

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8426 of 2026

Arising Out of PS. Case No.-200 Year-2025 Thana- ALINAGAR District- Darbhanga

1. Ram Lakhan Sada, S/o Mangal Sada, R/o Village - Lilpur, P.S - Alinagar, District - Darbhanga
2. Surendra Sada @ Surendra Saday, S/o Ram Lakhan Sada, R/o Village - Lilpur, P.S - Alinagar, District - Darbhanga
3. Punita Devi @ Anita @ Sunita Devi, W/o Surendra Sada @ Surendra Saday, R/o Village - Lilpur, P.S - Alinagar, District - Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Chandra, Advocate
For the Opposite Party/s : Mr. Pramod Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

4 21-05-2026 Heard the learned counsel for the petitioners and the learned A.P.P. for the State through virtual mode.

2. The petitioners are apprehending their arrest in connection with Alinagar P.S. Case No. 200 of 2025, registered for the offence(s) under Section(s) 103(1) and 3(5) of the Bharatiya Nyaya Sanhita, 2023 (B.N.S.).

3. As per the prosecution case, the informant filed an FIR stating that her brother-in-law (*Dewar*), namely, Jhameli Sada was married at village-Lilpur and used to stay at his *Sasural*. It has been alleged that he had regular quarrel with his wife, namely, Rubi Devi, father-in-law, mother-in-law, brother-



in-law, namely, Surendra Sada (petitioner No. 2) and the wife of Surendra Sada, namely, Punita Devi (petitioner No. 3). It has further been alleged that the informant's younger brother-in-law (*Dewar*) called her and informed that his brother namely, Jhameli Sada has been beaten to death by his in-laws. The informant reached the place of occurrence and found the dead-body of her brother-in-law (*Dewar*), namely, Jhameli Sada.

4. The learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. It has been submitted that it is an admitted fact that there is no eye-witness to the alleged occurrence. It has further been submitted that petitioner No. 1 is the old father-in-law of the deceased, whereas petitioner Nos. 2 and 3 are brother-in-law and sister-in-law of deceased respectively. It has next been submitted that the present FIR has been lodged on the next day of the occurrence by the informant as an afterthought and all the family members of the wife of the deceased have been implicated in this case with false and fabricated allegations. It has also been submitted that the cause of death of the deceased was not known, however, from the perusal of the *post-mortem* report, it is evident that there was one injury found on the head of the deceased, which is said to have been caused by hard and



blunt force. It has, thus, been submitted that petitioner No. 1 being an old person of 72 years, cannot be attributed with the charge of assault and petitioner No. 3, who happens to be the sister-in-law (*Dewrani*) of the deceased and wife of petitioner No. 2 also, cannot be said to have assaulted the deceased. It is an admitted case that there was only a single injury on the head of the deceased and the mother-in-law and the wife of the deceased have already been granted regular bail by a co-ordinate Bench of this Court *vide* composite order dated 06.04.2026 passed in Cr. Misc. Nos. 9890 of 2026 and 10149 of 2026. It has lastly been submitted that the petitioners have clean antecedent.

5. The learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioners and has submitted that the brother-in-law (*Dewar*) of the informant died at his *Sasural* under mysterious circumstances and he had received one injury on his head, which was the root cause of his death and, therefore, petitioner No. 1, being the owner of the said house, cannot be absolved of the responsibility of the death of his son-in-law. It has further been submitted that the petitioners were not apprehended at the place of occurrence and the fact that only the wife of the



deceased, namely, Rubi Devi was found to be alone at the house, goes on to show that the rest of the petitioners fled away from the place of occurrence.

6. Considering the aforesaid facts and circumstances of the case and taking into account the nature of allegations levelled against the petitioners, this Court is not inclined to grant them the liberty of anticipatory bail.

7. The prayer for anticipatory bail of the petitioners is, accordingly, rejected with a liberty to them to surrender before the concerned Court/successor Court where the case is pending and seek regular bail, which shall be considered on its own merits, without being prejudiced by the present order, and the same shall be considered/disposed of preferably on the same day, if possible.

8. The application stands dismissed.

(Sourendra Pandey, J)

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