

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8286 of 2026

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

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Musaraf Hussain S/o Mulazim Hussain @ Molajim Hussain Resident of
village - Sonbarsa, P.s.- Panapur, Distt.- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms.Mili Kumari, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 17-02-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Panapur P.S. Case No. 285 of 2025 dated 11.10.2025
registered for the offences punishable under Sections 80 and
3(5) of the B.N.S.

3. The prosecution case is to the effect that the
informant has alleged that his sister was married to the
petitioner around two years back and she was being tortured for
dowry by the in-laws. It is alleged that the informant had
dropped his sister on 08.10.2025 around 04.30 P.M. and on the
very next day i.e. 09.10.2025, he received a call and was
informed that his sister had died. It is alleged that he came to the



sasural of his sister and he found the dead body of his sister hanging. It is alleged that all the named accused persons including the petitioner had strangled his sister to death.

4. The learned counsel for the petitioner submits that petitioner has falsely been implicated in this case and it is evident that the wife of the petitioner had gone to her parents house earlier and had came back on 08.10.2025 and on the very next day i.e. 09.10.2025, she has committed suicide. It is further submitted that from perusal of the Post-mortem report, it would be evident that the cause of death is stated to be asphyxia due to hanging and there are no sign of strangulation found as alleged in the F.I.R. It has further been submitted that the wife of the petitioner was forced to go to her sasural against her wishes because of such fact the wife of the petitioner had committed suicide. There is nothing on record to suggest that the petitioner or the other family members were instrumental in killing the wife of the petitioner/ sister of the informant. It has lastly been submitted that the petitioner has clean antecedent.

5. The learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner and submitted that the petitioner being the husband can not shy away from the unnatural death of his wife within two years of



marriage. It is further submitted that the wife was found hanging at her sasural therefore, the petitioner being the husband was answerable for her death.

6. Considering the aforesaid submissions and taking into account the report of the Post-mortem, the petitioner, above named, is directed to be released on anticipatory bail, in the event of arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail-bond of Rs. 10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below 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 438(2) of the Code of Criminal Procedure read with corresponding Section 482(2) of BNSS as well as subject to the following conditions:-

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner shall remain physically present before the concerned Court on each and every date of the trial and shall cooperate in the investigation.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner



will be liable to be cancelled by the Court concerned.

(iv) The trial court shall verify the criminal antecedent of the petitioner and in case, at any stage, it is found that the petitioner has concealed his criminal antecedents, the trial court shall take necessary steps for cancellation of bail bond of the petitioner. However, the acceptance of bail bond in terms of the above mentioned order shall not be delayed for purpose of or in the name of verification.

7. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

8. The application stands allowed.

(Sourendra Pandey, J)

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