

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10192 of 2026

Arising Out of PS. Case No.-864 Year-2025 Thana- SIKARPUR District- West Champaran

1. Priti Tiwari @ prity devi W/O Sh. Purushottam Mani Tiwari Resident Of Village - Sugauli, Ward No- 09, P.s- Shikarpur, District- West Champaran
2. Vivek Kumar Mishra S/o. Upendra Mishra Resident of village-Laherula, P.S- Yogapatti, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Archana Jha, Advocate

For the Opposite Party/s : Mr. Syed Mojibur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 25-02-2026 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek bail in anticipation of their arrest in connection with Shikarpur P.S. Case No. 864 of 2025 instituted for the offences punishable under Sections 103(1) and 3(5) of the Bharatiya Nyaya Sanhita.

3. As per the prosecution case, the informant has alleged that her son had solemnized love marriage with one Pragati Kumari and the father, mother and elder son-in-law used to threaten and mentally harass the son of the informant. It is alleged that the informant was communicated by Pragati Kumari that her husband was admitted in hospital as his condition had



deteriorated and subsequently he died. It has been alleged that the informant believed that the named accused persons including the petitioners have poisoned her son to death.

4. Learned counsel for the petitioners submits that the petitioners are the mother-in-law and brother-in-law (*Sarhu*) of the deceased. It has been submitted that admittedly the petitioners were not residing along with the son of the informant and Pragati Kumari. It has also been submitted that it was merely on suspicion that the petitioners have been named in the present case, who had no concern with the matrimonial life of Pragati Kumari with her husband, who had married on their own. It has also been submitted that the wife of the deceased namely Pragati Kumari, who also happens to be daughter of the petitioner no. 1 has been granted regular bail by this Court while the father-in-law of the deceased is in custody. It has lastly been submitted that the petitioners have clean antecedents.

5. Learned APP appearing on behalf of the State and the learned counsel for the informant vehemently opposed the prayer for anticipatory bail and have stated that the son-in-law of the petitioner no. 1 had died in mysterious circumstances and till date it has not been made clear as to what was the cause of the death and therefore, the petitioners should not be granted the



liberty of the anticipatory bail.

6. Considering the facts and circumstances of the case, the petitioners are directed to be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bettiah, West Champaran in connection with Shikarpur P.S. Case No. 864 of 2025, subject to the conditions as laid down under Section 482 of the BNSS and subject to the following conditions:-

(i) One of the bailors will be a close relative of the petitioners and the other shall be a local resident:

(ii) the petitioners will remain present on each and every date fixed by the Court below, if so required by the learned Trial Court;

(iii) in case of absence on two consecutive dates or in violation of the terms of the bail, the bail bonds of the petitioners will liable to be cancelled by the Court concerned;

(iv) the Court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that they have concealed their criminal antecedents, the court below shall take step for cancellation of bail bonds of the petitioners. However, the acceptance of bail bonds in terms of the above mentioned order shall not be delayed for purpose of the same on 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.

(Sourendra Pandey, J)

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