

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11770 of 2026

Arising Out of PS. Case No.-1195 Year-2025 Thana- SAHARSA SADAR District- Saharsa

1. Jitan Sharma S/o Shambhu Sharma R/o Village - Morkahi Dhamsaini Nagar, Ward no. 46, P.S - Saharsa Sadar, District - Saharsa
2. Arti Devi W/o Jitan Sharma R/o Village - Morkahi Dhamsaini Nagar, Ward no. 46, P.S - Saharsa Sadar, District - Saharsa
3. Shambhu Sharma S/o Late Makhan Sharma R/o Village - Morkahi Dhamsaini Nagar, Ward no. 46, P.S - Saharsa Sadar, District - Saharsa
4. Chandan Devi W/o Shambhu Sharma R/o Village - Morkahi Dhamsaini Nagar, Ward no. 46, P.S - Saharsa Sadar, District - Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shiva Shankar Sharma, Advocate
For the Opposite Party/s : Mr.Rabindra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 26-02-2026 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. Petitioners apprehend their arrest in connection with Saharsa Sadar P.S. Case No. 1195 of 2025 registered for the offences under Sections 123, 103(1) and 3(5) of the B.N.S.

3. As per the prosecution case, the allegation against the petitioners is that they had administered poison to the daughter of the informant.

4. Learned counsel for the petitioners submits that the petitioners are the in-laws of the deceased daughter of the



informant. He further submits that petitioner no.1 happens to be the brother-in-law (*bhainsur*), petitioner no.2 happens to be the sister-in-law (*gotni*), petitioner nos.3 and 4 happens to be the mother-in-law and the father-in-law respectively of the deceased. It has further been submitted that a mere suspicion has been raised with regard to administering poison to the daughter of the informant, however, the petitioners had no concern with the matrimonial life of the deceased and her husband and they had been residing separately from them. It has further been submitted that marriage of the deceased was solemnized way back in 2014 and after 11 years of marriage such occurrence has occurred and therefore, the allegations with regard to demand of dowry and etc. is false and concocted. It has next been submitted that the petitioners were informed that the deceased has consumed poison on account of some altercation with her husband. It is lastly been submitted that the petitioners being the in-laws have been implicated merely because they are the immediate family members of the husband of the deceased having no criminal antecedent.

5. Learned APP for the State has vehemently opposed the prayer for anticipatory bail.

6. Considering the aforesaid submission, facts and



circumstances of the case, let the petitioners above named be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bonds of Rs.10,000/-(ten thousand) each 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 Saharsa Sadar P.S. Case No. 1195 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 B.N.S.S. as well as subject to the following conditions:-

- (i) One of the bailors of the petitioners shall be their close relative.
- (ii) The petitioners shall remain physically present in Court on each date of the trial.
- (iii) In case of absence on two consecutive dates, or in violation of the terms of the bail, the bail bond of the petitioners will be liable to be cancelled by the Court concerned.
- (iv) If the petitioners are found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.



(v) The learned Court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

7. Accordingly, the present application stands allowed.

8. 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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