

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13593 of 2026

Arising Out of PS. Case No.-147 Year-2025 Thana- DAUDPUR District- Saran

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Dharmendra Sah @ Dharmendra Kumar Sah S/o Daroga Sah Resident of
Village- Soniya , P.S.- Daudpur, District- Saran Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gajendra Nath Ojha, Advocate

For the Opposite Party/s : Mr. Anish Chandra, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 29-04-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in connection with Daudpur P.S. Case No. 147 of 2025, dated 13.06.2025, lodged under Sections 103(1) & 3(5) of the Bhartiya Nyaya Sanhita, 2023 (hereinafter referred to as “BNS, 2023”), pending before the Court of Sessions Judge, Saran at Chapra.

3. As per the prosecution, FIR has been lodged against three named accused persons, including the present petitioner, with the allegation that the informant’s daughter has been killed due to dowry demand.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel further submits that the marriage was admittedly solemnized in



the year 2017, and the present case has been instituted in the year 2025. Counsel further submits that the allegations made in the FIR are absolutely false and fabricated, and the only adverse aspect is that the petitioner is the husband of the deceased.

5. Counsel also submits that on the previous occasion, the case diary and post-mortem report had been called for, and the post-mortem report indicates that it is not a case of murder but a case of poisoning due to frustration. Counsel further submits that the petitioner is absolutely innocent and has been unnecessarily made an accused in the case.

6. Learned APP for the State opposes the prayer for bail of the petitioner and submits that it is true that it is not a case of dowry death, as the marriage was solemnized about seven years ago. However, the petitioner is the husband of the deceased.

7. In the present facts and circumstances, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, the prayer for anticipatory bail of the petitioner is hereby rejected.

8. Liberty is hereby granted to the petitioner to surrender before the Trial Court within a period of six weeks from today. In case the petitioner surrenders within the said



period, the Trial Court is directed to consider his bail application after going through the case diary minutely and the post-mortem report, and to pass orders on his surrender-cum-bail application on the same day, without being prejudiced by the fact that the anticipatory bail of the petitioner has been rejected by this Court. The Trial Court shall pass order on the merits of the case.

(Dr. Anshuman, J.)

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