

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.17065 of 2026**

Arising Out of PS. Case No.-104 Year-2025 Thana- INARWA District- West Champaran

1. Saroj Kushwaha @ Sanoj Prasad Kushwaha S/O Late Yadunandan Kushwaha @ Yadunandan Prasad Kushwaha R/O Village- Khamahiya, P.S- Inarwa, Distt.- West Champaran.
2. Rampal Prasad Kushwaha @ Devendra Kushwaha S/O Vinod Kushwaha R/O Village- Khamahiya, P.S- Inarwa, Distt.- West Champaran.
3. Subhashani Devi W/O Vinod Kushwaha R/O Village- Khamahiya, P.S- Inarwa, Distt.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Pratik Kumar

For the Opposite Party/s : Mr.Rajendra Singh

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

2      09-04-2026                      Heard learned counsel for the petitioners, learned  
A.P.P. for the State and learned counsel for the informant.

2. Petitioners apprehend their arrest in a case registered for the offence punishable under Sections 103(1), 238, 61(2) read with Section 3(5) of BNS.

3. Learned counsel for the petitioners submits that the petitioner No.1 is a person with clean antecedent and petitioner No.2 and 3 have antecedent of one case and petitioner No.3 is woman and the informant alleges that is daughter was married to Dipendra about 14 years back and out of the wedlock 4 children were born, it is next alleged that on account of



matrimonial dispute, his daughter came to her parental home but on 12.07.2025 went back to her matrimonial home, it is next alleged that till 17.07.2025, informant has not been able to contact his daughter, accordingly, he came to the matrimonial home of his daughter to enquire when he was informed that his daughter had gone back to her parental home on 17.07.2025, thereafter, a search was made but the victim could not be located hence an F.I.R. was instituted.

4. Learned counsel for the petitioners submits that the petitioners being related to Dipendra have been falsely implicated in the instant case during the course of investigation, it is next submitted that petitioner Nos.1, 2 and 3 are uncle, brother and mother of Dipendra, it is next submitted that during the course of investigation, the dead body of the victim was recovered and Dipendra was arrested who confessed that he had strangled the victim on aid and advice of accused persons including the petitioners. The learned counsel for the petitioners further submits that confessional statement recorded by police in police custody does not have any evidentiary value, it is also submitted that the entire family members have been implicated, it is next submitted that Dipendra in his confession has confessed that all his family members including the petitioners



advised him to kill the victim as she was not supporting him in his drinking habits and they also assured that after the victim is killed, they will get him married for the second time as such Dipendra strangled him, learned counsel for the petitioner must submit that the victim was married with Dipendra for last 14 years and out of wedlock 4 children were born and in these 14 years, no case ever came to be instituted either by the deceased or the informant alleging any kind of torture being meted out at the hand of the accused persons including the petitioners but whenever any dispute arises in between husband and wife and the occurrence of the nature as alleged takes place, the entire family members are implicated. It is also submitted that even presuming what has been alleged to be true without admitting then Dipendra confessed that he strangled the victim to death and the accused helped in concealing the evidence which is the bailable offence.

5. Learned A.P.P. for the State as well as learned counsel for the informant oppose the prayer for anticipatory bail of the petitioners.

6. Considering the aforesaid facts and circumstances of the case, I am inclined to grant privilege of anticipatory bail to the petitioners.



7. Let the petitioners, as named above, in the event of their arrest or surrender within four weeks from today, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Addl. Sessions Judge Ist-cum-Spl. Judge (SC/ST), Bettiah, West Champaran, in connection with Inarwa P.S. Case No. 104 of 2025, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure/Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Satyavrat Verma, J)

sanjeev/-

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