

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20617 of 2026

Arising Out of PS. Case No.-105 Year-2025 Thana- SIDHWALIYA District- Gopalganj

Banaras Prasad son of Late Ramchandra Prasad Resident of Village- Balra PS
-Sidhwaliya Dist -Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Madhukar

For the Opposite Party/s : Ms. Madhuri Lata

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 19-06-2026 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 80, 3(5) of
the B.N.S., 2023.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and the informant
alleges that his sister was married to Santosh on 26.02.2020,
after marriage, the husband along with accused persons
including the petitioner were demanding a motorcycle and on
account of non-fulfillment of the demand, the victim was
tortured, further on 05.06.2025, he came to know that the victim
was killed, accordingly he asked his other sister to verify about
the occurrence, as the informant was out of station in connection



with earning, accordingly, his sister went to the place of occurrence and found the dead body of the victim lying.

4. Learned counsel for the petitioner submits that petitioner being father-in-law has been falsely implicated in the instant case by the informant. It is next submitted that informant is not an eyewitness to the occurrence and the entire allegation hinges around suspicion. It is also submitted that sister of the informant was married to Santosh in the year 2020 and in between 2020 till filing of the instant FIR, no case ever came to be instituted alleging torture on account of non-fulfillment of dowry demand. It is further submitted that whenever any dispute arises in between the husband and the wife and the occurrence of the nature as alleged takes place, the entire family members are implicated in a mechanical manner with general and omnibus allegation. It is further submitted that even allegation of demand of dowry is general and omnibus in nature. It is submitted that had the petitioner been involved in the occurrence, in that event, efforts would have been made to dispose of the dead body with a view to conceal the evidence but then the dead body was found lying in the house and the same was sent for postmortem for ascertaining the cause of death and the doctor opined that the cause of death as asphyxia



due to hanging. It is also submitted that petitioner is a senior citizen aged about 76 years and has remained a person with clean antecedent all through out. It is further submitted that if privilege of anticipatory bail is granted, the petitioner will not not abscond rather will cooperate in the investigation to prove his innocence. It is also submitted that mother-in-law, namely, Paspati Devi had approached this court seeking anticipatory bail by filing Cr. Misc. No.81033 of 2025 and the same came to be allowed by an order dated 19.01.2026.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Sidhwaliya P.S. Case No.105/2025, subject to the conditions as laid down under Section 482(2) B.N.S.S.

7. However, it is made clear that in the event if the



Investigating Officer of the case files an application before the learned trial court bringing to its notice that the petitioner despite giving assurance to this court is not co-operating in the investigation in that event the learned trial court shall be at liberty to cancel the bail bonds of the petitioner.

(Satyavrat Verma, J)

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