

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23266 of 2026

Arising Out of PS. Case No.-448 Year-2025 Thana- RAXAUL District- East Champaran

1. Sayera Khatoon @ Sayara Khatoon @ Sayara W/o Akbar Miyan Resident of Village - Hardiya, P.S. - Raxaul, Dist. - East Champaran.
2. Akbar Mian @ Akbar Miyan Son of Gaazi Miyan @ Gaji Miyan Resident of Village - Hardiya, P.S. - Raxaul, Dist. - East Champaran.
3. Rahmat Miyan @ Sahmat Hawari @ Rahmat Hawari Son of Akbar Mian @ Akbar Miyan Resident of Village - Hardiya, P.S. - Raxaul, Dist. - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Harsha Saswat, Adv.

For the Opposite Party/s : Md. Shakir Ahmad, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 04-06-2026 Heard learned Advocate for the petitioners and
learned Advocate for the State through virtual mode.

2. The petitioners apprehend their arrest in connection with Raxaul P.S. Case No.448 of 2025 registered for the offences punishable under Sections 80 and 3(5) of the BNS, 2023.

3. Based upon the written report, the prosecution alleges that the daughter of the informant had solemnized a love marriage with the son of petitioner nos. 1 and 2. Out of the said wedlock, the couple also blessed with two children, aged about four years and two-and-a-half years, respectively. It is further



alleged that soon after the marriage, the daughter of the informant was subjected to demands for dowry and, on account of the non-fulfilment thereof, was subjected to cruelty and harassment in various forms. The prosecution further alleges that she was ultimately strangled to death and, with a view to portraying the occurrence as a case of suicide, the accused persons allegedly hanged her from a ceiling fan.

4. Learned Advocate for the petitioners contended that the deceased and her husband had been living a conjugal happy married life separately from their family members. However, on account of some trivial dispute between them, the deceased committed suicide on a heat of rage. It is further contended that petitioner no.1 happens to be mother-in-law, petitioner no. 2 is the father-in-law and petitioner no.3 is the brother-in-law of the deceased. During the course of investigation, no cogent material has surfaced to indicate their involvement in the alleged demand for dowry or in subjecting the deceased to cruelty. It is also contended that the police sent the dead body for post-mortem examination and the viscera was also forwarded to the Forensic Science Laboratory for analysis. *Prima facie*, both the post-mortem report and the FSL report suggest that the deceased died as a result of suicidal hanging. It is further pointed out that no



external ante-mortem injury was found on the body of the deceased. Lastly, it is contended that since the marriage between the deceased and her husband was a love marriage solemnized out of mutual affection, there was no occasion for any demand of dowry. It is submitted that, owing to certain matrimonial discord between the husband and wife, the deceased, in a moment of emotional distress, appears to have taken the extreme step of ending her life.

5. On the other hand, learned Advocate for the State vehemently opposed the bail application and submitted that during the course of investigation, all the witnesses have supported the prosecution case that the deceased was subjected to demand of dowry and torture due to which either she committed suicide or she was hanged.

6. Having considered the submissions advanced by the learned Advocates for the respective parties and taking note of the fact that the petitioners are none else but the parents-in-law and brother-in-law of the deceased and they have been living separately from the deceased and her husband, besides the postmortem report clearly suggests that it is a case of suicide by hanging and there is no mark of external injuries as well as the fair antecedent of the petitioners, let the above named



petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 20,000/- (Twenty thousand) each with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Motihari, East Champaran in connection with Raxaul P.S. Case No.448 of 2025, subject to the condition as laid down under Section 482(2) of the BNSS, with further condition that one of the bailors shall be the own/close family members of the petitioners.

(Harish Kumar, J)

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