

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24754 of 2026

Arising Out of PS. Case No.-193 Year-2025 Thana- Jaitpur District- Muzaffarpur

1. Jay Kishun Bhagat son of Sukdeo Bhagat @ Sukhdeo Bhagat Resident of village- Muza (Muza patrhiyan), Ps- Jaitpur, Dist- Muzaffarpur
2. Hari Kishun Bhagat Son of Sukdeo Bhagat @ Sukhdeo Bhagat Resident of village- Muza (Muza patrhiyan), Ps- Jaitpur, Dist- Muzaffarpur
3. Sukdeo Bhagat @ sukhdeo Bhagat Son of Late sukrit Bhagat Resident of village- Muza (Muza patrhiyan), Ps- Jaitpur, Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Upendra Kumar Chaubey
For the Opposite Party/s : Mr.Kumar Veerendra Narayan

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 3 06-05-2026 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.
2. Learned counsel for the petitioner seeks permission to withdraw the anticipatory bail application with respect to petitioner no. 1 (Jay Kishun Bhagat), who was arrested during pendency of the instant anticipatory bail application.
3. Permission is accorded.
4. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 103(1) of the Bharatiya Nyaya Sanhita.
5. Learned counsel for the petitioners submits that



petitioners are persons with clean antecedent and the informant alleges that his daughter in the Year 2009 was married to Vijay, after marriage Vijay was demanding a bike and on account of non-fulfillment of demand, the victim was tortured and assaulted, further the family members of Vijay were threatening to kill the victim, next alleges that Vijay was having extramarital relation with a woman which can be culled from the investigation of his mobile, it is further alleged that on 30-10-2025 a villager called his son on his mobile and informed that victim has been killed and the dead body is being taken for cremation, accordingly his son reached the place of occurrence, but no one was found present in the house, after search the dead body was located and the accused were taking the dead for cremation, accordingly the police was informed and the police came and took the dead body in possession and sent the same for postmortem.

6. Learned counsel for the petitioners submits that petitioner has been falsely implicated in the instant case by the informant. It is next submitted that from perusal of the allegations as alleged in the FIR, it would manifest that the daughter of the informant was married to Vijay in the year 2009 and the instant FIR came to be instituted in the Year 2025. It is



further submitted that in between 2009 to 2025 no case ever came to be instituted either by the victim or the informant alleging petitioners are torturing the victim for non-fulfillment of dowry demand. It is next submitted that from perusal of the allegations as alleged in the FIR, it would manifest that thrust of allegation is against Vijay. It is further submitted that informant is not an eyewitness to the occurrence and the allegation of demand of dowry and torture is general and omnibus in nature. It is 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 also submitted that informant does not allege that his son saw the petitioner no. 3 also accompanying the dead body.

7. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners and submits that no doubt it is difficult to countenance the submission made by learned counsel appearing on behalf of the petitioners but then it is submitted that from perusal of the allegation as alleged in the FIR, it would manifest that informant alleges that when his son reached the place of occurrence, no one was found present in the house and the dead body was missing and on search the dead body was



located as the accused persons were taking the dead body for cremating, but then police was informed and the dead body was sent for postmortem. It is thus submitted that it does not appear probable that husband all alone could have taken the dead body for cremation. It is next submitted that the order impugned also records that the dead body had ante-mortem injuries which gives an impression that prior to death, the victim was assaulted.

8. At this stage, the learned counsel appearing on behalf of the petitioner submits that petitioner no. 3 is an old person aged about 77 years and has remained a person with clean antecedent and when he is nearing his grave, he came to be implicated based on suspicion.

9. After hearing the learned counsel for the parties, the petitioner no. 3 above-named, in the event of his arrest or surrender 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 Jaitpur P.S. Case No. 193 of 2025 subject to the conditions as laid down under Section 482 (2) of the BNSS.

10. However, the Court is not inclined to extend the



privilege of anticipatory bail to the petitioner no. 2.

11. Accordingly, the anticipatory bail is disposed of.

(Satyavrat Verma, J)

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