

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33940 of 2026

Arising Out of PS. Case No.-424 Year-2025 Thana- BIBHUTIPUR District- Samastipur

1. Sanjay Ram S/O Late Sonelal Ram Resident of - Patailiya,, Ward No-06 Police Station- Bibhutipur, District-Samastipur
2. Viveka Devi Wife of Sanjay Ram Resident of - Patailiya,, Ward No-06 Police Station- Bibhutipur, District-Samastipur
3. Nitish Kumar S/O Sanjay Ram Resident of - Patailiya,, Ward No-06 Police Station- Bibhutipur, District-Samastipur
4. Ankit Kumar Son of Sanjay Ram Resident of - Patailiya,, Ward No-06 Police Station- Bibhutipur, District-Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Shankar Shrivastava, Advocate

For the Opposite Party/s : Mr. Ajit Kumar, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 20-05-2026 Heard the learned counsel for the petitioners and learned Additional Public Prosecutor for the State through virtual mode.

2. The petitioners are apprehending their arrest in connection with Bibhutipur P.S. Case No. 424 of 2025, FIR dated 29.10.2025 registered for the offences punishable under Sections 85, 80 & 3(5) of the BNS.

3. As per prosecution case, informant Rohit Ram filed a written report alleging that his daughter Shabnam Kumari was married to Shivam Kumar on 16.05.2024. After



marriage, her in-laws allegedly started torturing her for dowry of Rs. 5,00,000/- and a fridge, besides threatening to kill her in case of non-fulfilment of demand. It is further alleged that due to non-fulfilment of dowry demand, the accused persons named in the F.I.R. murdered the informant's daughter.

4. Learned counsel for the petitioners submits that the petitioners are innocent, have committed no offence and have falsely been implicated in this case. Learned counsel for the petitioners submits that the petitioners are living separately from the husband of the deceased and are in no way connected with the day-to-day affairs of the deceased and her husband. It is next submitted that the husband of the deceased is already in custody since 18.12.2025 and petitioners have never harassed the complainant's daughter, who was a short-tempered lady and frequently quarrelled with in-laws without any reason. It is further submitted that due to her short temperament, such an incident cannot be ruled out. Learned counsel for the petitioners next submits that petitioners have clean antecedents and the doctor who conducted the post-mortem found the cause of death is due to asphyxia resulting from ante-mortem hanging.

5. Learned APP for the State opposes the prayer for anticipatory bail application.



6. Considering the aforesaid facts and circumstances and the fact that the petitioners are though related, but are living separately and not connected with day to day affairs and there is nothing specific against them, this Court is inclined to grant the privilege of anticipatory bail to the petitioners.

7. Let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sub Divisional Judicial Magistrate, Samastipur in connection with Bibhutipur P.S. Case No. 424 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

(i) one of the bailors should be the family member/relative/known of the petitioners who shall provide official document/personal affidavit to show his/her bona fide;

(ii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her/their bail bond by the Trial Court itself;



(iii) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Ajit Kumar, J)

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