

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45169 of 2026

Arising Out of PS. Case No.-61 Year-2026 Thana- KHUDAGANJ District- Nalanda

1. Dayamanti Devi Wife of Binay Prasad Resident of Village - Banbag, P.S.- Khudaganj, District - Nalanda.
2. Binay Prasad Son of Ramdeo Mahto Resident of Village - Banbag, P.S.- Khudaganj, District - Nalanda.
3. Roshan Kumar Son of Binay Prasad Resident of Village - Banbag, P.S.- Khudaganj, District - Nalanda.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Rajeev Kumar, Adv.
For the Opposite Party : Mr. Anish Chandra, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 22-07-2026 Heard learned counsel for the petitioners and

learned Additional Public Prosecutor for the State.

2. The accused/petitioners are named in the FIR

and apprehending their arrest in connection with Khudaganj

P.S. Case No.61 of 2026 registered under Sections 108, 45,

3(5) of Bharatiya Nyaya Sanhita, 2023 (in short 'BNS').

3. The allegation against petitioners is to abet son

of the informant to commit suicide.

4. It is submitted by learned counsel for the

petitioners that the son of deceased and grandson of



informant kidnapped the daughter aged about 22 years of petitioner no. 1 and 2 for the purpose of illicit intercourse/ marriage with another person, for which prior to lodging this case, a case was registered as Khudaganj P.S.Case No. 31 of 2026 dated 17.02.2026 by petitioner's side. It is submitted that when the daughter of petitioner no. 1 and 2 returned with the grandson of the informant, co-villagers solemnized their marriage on 17.02.2026. It is alleged that during the said period the petitioners alleged to threaten the family of deceased son of the informant to defame their family in society and also threaten to commit rape upon female family members, being aggrieved of which it is alleged that the son of the informant, who is the father of the accused of Khudaganj P.S.Case No. 31 of 2026, who alleged to kidnap the daughter of the petitioners committed suicide by pouring kerosene oil on his body. It is submitted that just to implicate the family members of petitioners, who are innocent, extreme step of suicide was committed, having otherwise remote connection with the occurrence. It is submitted that the act of petitioners are not so active or



direct, which forced the son of the informant to commit suicide, without leaving no other options and moreover due to said occurrence no such steps was taken by informant, who is the grandfather of the deceased or even by son of the deceased who kidnapped the daughter of petitioner no. 1 and 2, suggesting that they were not aggrieved with alleged marriage to any extent. In support of his submission, learned counsel relied upon the legal report of Hon'ble Supreme Court as available through **Gurcharan Singh vs. State of Punjab [(2017) 1 SCC 433]**. Petitioners claimed clean antecedent.

5. Learned APP opposed the prayer of bail.

6. In view of aforesaid factual submissions and by taking note of fact as the alleged occurrence and threat *prima facie* appears remotely connected with the occurrence, as to compel the deceased son of informant to commit suicide without leaving no other options, accordingly, all three petitioners, above-named, are directed to be released on bail, in the event of their arrest or surrender in the court below within a period of four weeks, 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 S.D.J.M., Hilsa(Nalanda) in connection with Khudaganj P.S. Case No.61 of 2026, subject to the conditions as laid down under Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J.)

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