

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45442 of 2026

Arising Out of PS. Case No.-357 Year-2026 Thana- AHYAPUR District- Muzaffarpur

1. Shambhu Singh @ Sambhu Sinha S/o Late Banwari Singh Resident of Village - Mushari Goat Brindawan P.S. Tariyani, District - Sheohar.
2. Lalita Devi W/o Shambhu Singh Resident of Village - Mushari Goat Brindawan P.S. Tariyani, District - Sheohar.
3. Soni Kumari @ Soniya Devi @ Arti Kumari W/o Subhash Kumar Singh, D/o Shambhu Singh R/o Village - Belahi Lacchi, P.S. - Minapur, Dist. - Muzaffarpur (in the F.I.R. husband's name Shambhu Singh and address Village and P.S. - Ahiyapur, Dist. - Muzaffarpur has wrongly been mentioned).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Ajay Kumar Singh, Adv.
For the Opposite Party/s :	Mr. Md. Aslam Ansari, APP
:	Mr. Devashish Prasoon, Adv.
:	Mr. Ashutosh Singh, Adv.
:	Mr. Vidhan Chandra Pathak, Adv.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 4 23-07-2026 1. Heard learned counsel for the petitioners, learned A.P.P. for the State and the learned counsel appearing on behalf of the informant.
2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 80 and 3(5) of the BNS.
3. The SHO and the Investigating Officer of the case in compliance of the order dated 21.07.2026 are present in the Court.



4. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and the informant alleges that that his sister was married to Raushan in March, 2023, out of the wedlock, a daughter was born, next alleges that accused persons including the petitioners used to torture his sister for dowry, further on 13.02.2026, he along with his family members came to know that his sister was admitted at M.M. Emergency Hospital, accordingly, the informant came to the hospital and saw his sister in a serious condition who was on ventilator, hence informant intended to shift her to a Higher Centre but Raushan refused and threatened to kill him. It is next alleged that the doctors of the hospital referred her to a Higher Centre, thus the victim was admitted at Green Diamond Emergency Hospital. It is further alleged that Raushan was repeatedly asking for his sister's mobile, thus alleges that in the mobile some evidence may be recorded.

5. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant being father-in-law, mother-in-law and married sister-in-law, it is next submitted that informant is not an eye witness to the occurrence. It is also submitted that though allegation of demand of dowry is alleged, but then the informant



does not even remotely suggest that as to what was being demanded in dowry. It is further submitted that victim was a Nurse and was residing at Ladaniya, District- Madhubani, whereas her husband Raushan runs a school at Muzaffarpur in the name of Good Shepherd Senior Secondary School. It is further submitted that the relationship in between Raushan and the victim had soured, as such, they were residing separately. It is also submitted that a dispute had arisen with respect to the daughter and petitioner had brought his daughter to his home, but then the victim complaint before the concerned Police Station at Muzaffarpur and on intervention of the police, the daughter was sent back to the victim, but again in the year 2025 itself, the victim left the daughter at the house of the petitioners. It is next submitted that victim while staying at Ladaniya had instituted Ladaniya PS Case No. 121 of 2025 dated 16.04.2025 against Rambhrosh Sahani, Birbal Sahni and Manjay Devi alleging that they were harassing and blackmailing her, it is also submitted that the health condition of the victim deteriorated at Ladaniya and the *Mukhiya* of the village informed the petitioner about the health condition of the victim, as such, the petitioner from Muzaffarpur reached Ladaniya and thereafter the victim was admitted in a hospital from where she was referred to a



Higher Centre as recorded hereinabove. It is further submitted that had the petitioner been involved in the occurrence along with his family members in that event efforts would have been made to dispose of the dead body with a view to conceal the evidence, but then the victim was brought to the hospital where she was treated and referred to a Higher Centre, but then during the course of treatment she died. It is also submitted that postmortem of the dead body was carried out to ascertain the cause of death and the viscera is sent to FSL. It is next submitted that viscera was sent to FSL, when the doctors based on medical examination are not in a position to opine with certainty the cause of death. It is further submitted that even FSL report does not record that any poison was found and the postmortem report further also does not record with clarity the cause of death. It is reiterated and submitted that had the petitioners been involved in the occurrence then efforts would have been made to ensure that postmortem of the dead body is not carried out for ascertaining the cause of death. It is further submitted that even allegation of demand of dowry is general and omnibus in nature. It is next submitted no doubt death of the victim took place within seven years of marriage, but then all deaths are not dowry death and conduct of the husband of the



victim cannot be ignored that he made efforts to save the life of the victim by admitting her in hospital. It is also submitted that if privilege of anticipatory bail is granted to the petitioners, the petitioners will not abscond rather will cooperate in the investigation to prove their innocence.

6. Learned A.P.P. for the State and learned counsel appearing on behalf of the informant opposes the anticipatory bail application of the petitioners, but then are not in a position to rebut the submission of the learned counsel appearing on behalf of the petitioners that the health condition of the victim deteriorated at Ladaniya and during the course of investigation it has come that it was *Mukhiya* of village Ladaniya who informed Raushan at Muzaffarpur about failing health of the victim and that victim was admitted in hospital and during course of treatment she died.

7. After hearing learned counsel for the parties and taking into consideration the submissions made by learned counsel appearing on behalf of petitioners, the petitioners above-named, in the event of their 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) each 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 Ahiyapur P.S. Case No. 357 of 2026 subject to the conditions as laid down under Section 482 (2) of the BNSS.

8. The personal appearance of SHO and the Investigating Officer of the case is dispensed with.

9. At this stage, learned APP submits that for some personal reasons, Regional Director, FSL, Muzaffarpur could not come.

10. Accordingly, the application stands allowed.

(Satyavrat Verma, J)

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