

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46664 of 2026

Arising out of PS. Case No.-40 Year-2026 Thana- Kalibagh District- West Champaran

1. Bhikhu Sah S/o Late Mohan Sah Resident of Village- Purani Gudari, Ward No. 10, P.S.- Kalibagh, District- West Champaran
2. Archana Devi W/o Bhikhu Sah Resident of Village- Purani Gudari, Ward No. 10, P.S.- Kalibagh, District- West Champaran. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Syed Ehteshamuddin, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

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

learned APP for the State

2. The petitioners apprehend their arrest in connection with Kalibagh P.S. Case No. 40 of 2026 registered under Sections 103(1), 80 and 3(5) of BNS.

3. Allegation in the F.I.R is that the daughter of the informant was married to Vishal Kumar on 01.12.2025 and after some time of marriage the in-laws started torturing and demanding dowry and also threatened to solemnize second marriage of their son. It is further alleged that the husband used to abuse and assault her in inebriated condition on account of which she died.

4. It is submitted by learned counsel for the petitioners that the petitioners are the father-in-law



and mother-in-law of the deceased who are living separately from the deceased and her husband. It is further submitted that the petitioners have never demanded any dowry and never inflicted any cruelty upon the deceased. It is also pointed out by learned counsel for the petitioners that the informant has stated that the deceased had disclosed telephonically on 02.02.2026 that it was her husband along with his aunt and uncle who indulged in abusing her and assaulting her. She had not taken the names of these petitioners.

5. Further, the husband of the deceased who is primarily responsible for the welfare of the wife, is already in custody since 12.02.2026 as stated in paragraph 15 of the petition. It has also been submitted that as a matter of fact, deceased had committed suicide as the post-mortem also indicates the cause of death due to asphyxia as a result of hanging. It is lastly submitted that the petitioners have no criminal antecedents.

6. The application for anticipatory bail is opposed by learned A.P.P. for the State.



7. Taking into consideration the aforesaid facts and circumstances of the case and also considering the fact that there is general and omnibus allegation against the petitioners coupled with the fact that the husband is already in custody, it is directed that the petitioners, above named, in the event of their arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Kalibagh P.S. Case No. 40 of 2026 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 Court concerned where the case is pending/successor Court, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of the B.N.S.S,

(Soni Shrivastava, J)

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