

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48249 of 2026

Arising Out of PS. Case No.-222 Year-2025 Thana- EKMA District- Saran

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1. Kamlesh Patel S/O Ramnath Patel Resident of Village- Parsagarh Bazar, Pasi Tola, Police Station- Ekma, District- Saran.
 2. Dhrup Patel S/O Ramnath Patel, Resident of Village- Parsagarh Bazar, Pasi Tola, Police Station- Ekma, District- Saran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shambhawi, Advocate

For the Opposite Party/s : Ms.Dr. Indihar Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RANJAN KUMAR JHA
ORAL ORDER

2 27-07-2026 Heard learned counsel appearing on behalf of the petitioners and learned Additional Public Prosecutor appearing on behalf of the State.

2. The petitioners are apprehending their arrest in connection with Ekma P.S. Case No. 222 of 2025 registered for the offences punishable under Sections 103(1) 238 and 3(5) of the BNS.

3. The allegation in the FIR is that marriage of the deceased was solemnized in 2004, whereas the alleged occurrence took place in 2025 i.e. after 21 years of marriage. It is further alleged that the motive behind the occurrence, as stated in the FIR, was a demand for money. Informant is the



brother of the deceased.

4. It is submitted by learned counsel for the petitioners that petitioners are the brothers-in-law (*Devars*) of the deceased. While referring para-10 of the petition, counsel for the petitioner submits that own son of deceased Vikash Kumar, who is 15 years old has stated before the police that his father Sudama Patel (husband of the deceased) had given some money to the deceased's brother at her request. As the money was not returned, an altercation took place between mother and father of Vikash Kumar, as a result thereof mother of Vikash Kumar committed suicide. Learned counsel further drawn attention of this Court towards order of Co-ordinate Bench of this Court dated 29.04.2026 passed in Cr. Misc. No. 18113 of 2026, in which five other co-accused have already been granted privilege of anticipatory bail.

5. Learned APP for the State has vehemently opposed the prayer for anticipatory bail.

6. Having considered the submissions of the parties, and keeping in view relationship of petitioners with the deceased, marriage of deceased in 2004 and alleged occurrence is of 2025, coupled with the statement made in para-10 of the petition, in which averment is in connection with son of the



deceased before the police and petitioners have no criminal antecedents, coupled with co-accused were granted anticipatory bail by this Court, this Court is inclined to allow the prayer for anticipatory bail, let the petitioners in the event of their arrest or surrender before the Court below within a period of four weeks from today be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each of the satisfaction of learned Judicial Magistrate-1st Class, Chapra, Saran/concerned court, in connection with Ekma P.S. Case No. 222 of 2025, subject to the conditions as laid down under Section 482(2) of the BNSS, with further conditions that:-

(I) One of the bailors shall be close relative of the petitioners.

(ii) Petitioners shall cooperate in further investigation if any, in case of non-compliance of aforesaid conditions, the informant/State shall be at liberty to press for cancellation of bail bond of the petitioners before the learned trial court itself, which be decided, after giving fair opportunity



of hearing to the petitioners.”

(Ranjan Kumar Jha, J)

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