

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51091 of 2026

Arising Out of PS. Case No.-254 Year-2025 Thana- BASANTPUR District- Siwan

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Jakir @ S K Jakir S/o S. K Tayeb @ Taiyab Ali R/o Village - Madarpur
Pashim Tola, P.S - Basantpur (Lakri Nabiganj), District - Siwan

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sheikh Ismail S/o Late Ishahak Miyan R/o Village - Khwaspur, P.S -
Basantpur, District - Siwan

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Brajesh Sahay, Advocate Mr. Noumaan Ahmad, Advocate
For the Opposite Party/s	:	Mr. Bhanu Pratap Singh, APP

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 29-07-2026 Heard Mr. Brajesh Sahay, learned Advocate for the

petitioner and Mr. Bhanu Pratap Singh, learned Additional

Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection

with Basantpur (LNG) P.S. Case No. 254 of 2025, registered for

the offenses punishable under Section 80 of the B.N.S.

3. The marriage of the informant's daughter was

solemnized on 06.04.2022 with one Sakir Ali, who happens to

be brother of the petitioner. Right after marriage, she was

subjected to a demand of dowry and on account of non-

fulfillment of the same, she was done to death by all the accused

persons including the petitioner.



4. Learned Advocate for the petitioner submits that the petitioner is none else but the brother-in-law of the deceased, residing separate in mess and business, having no concern with day to day affairs of the deceased and her husband. In fact, on the given date and time of occurrence, the husband of the deceased was residing abroad and only due to the reason that she was not taken away by the husband at his working place, on account of such frustration she committed suicide. The factum of suicide also stands corroborated by the post-mortem report, which clearly disclosed that the cause of death is asphyxia, due to hanging and there was no mark of violence on the body of the deceased. Moreover, during the course of investigation, no cogent materials have been collected which suggests the complicity of the petitioner specifically. It is further contended that other co-accused persons facing identical allegation have been allowed the privilege of anticipatory bail by a Coordinate Bench of this Court in Cr. Misc. No. 56071 of 2025, a copy of which is marked as Annexure P/2.

5. On the other hand, learned Advocate for the State vehemently opposed the bail application and submits that the deceased died within seven years of marriage in unnatural circumstances and preceding her death there was demand of



dowry and thus, dowry death cannot be ruled out.

6. Having considered the submissions advanced by the learned Advocate for the respective parties and taking note of the fact that the petitioner is brother-in-law and living separately in mess and business, besides his case also stands at parity with those who have been allowed the privilege of anticipatory bail and the post-mortem report suggests no marks of violence, let the petitioner above named be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned District and Additional Sessions Judge IX, Siwan in connection with Basantpur (LNG) P.S. Case No. 254 of 2025, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023, with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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