

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.52566 of 2026**

Arising Out of PS. Case No.-39 Year-2005 Thana- PANAPUR District- Saran

Sri Bhagwan Sah Son of Phuldar Sah Resident of Village- Ubhwan  
Sarangpur, P.O.- Bhorhan, P.S.- Panapur, District- Saran at Chapra-841417.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Jeetendra Narayan, Advocate

For the Opposite Party/s : Mr.Narendra Kumar Singh, Advocate

**CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR**  
**ORAL ORDER**

2      29-07-2026      Heard the learned counsel for the petitioner  
and learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Panapur P.S. Case No. 39 of 2005, F.I.R dated 16.10.2005 corresponding to G.R. No. 2926 of 2005 registered for the offences punishable under Sections 80 & 238 of the Bharatiya Nyaya Sanhita, 2023.

3. According to prosecution case, the informant, Phul Kuwar Devi, alleged that her daughter Dewanti Kumari was married to Nagendra Kumar on 14.06.2005. About one month after the marriage, Nagendra Kumar and his family members allegedly demanded a Hero Honda motorcycle as dowry. As the demand was not fulfilled, the accused persons allegedly subjected the deceased to cruelty and, in furtherance of a



common plan, caused her death. On receiving information on 15.10.2005, the informant's son and villagers visited the matrimonial home and found that the deceased had been killed by the accused persons. And, accordingly the F.I.R. was logged against the accused persons.

4. Learned counsel for the petitioner submits that the petitioner is the elder brother-in-law of the deceased and is living separately, and from the First Information Report it would be transpired that there is nothing specific against this petitioner. It has next been submitted that after the investigation final form was submitted, but the court concerned by referring to certain judgements dealing with the issues in question and without referring to any other materials based on which the cognizance could have been taken recording difference to the police reports filed in their cases, the cognizance has been taken against this petitioner giving an apprehension for arrest, for which the instant case has been filed.

5. Learned APP for the State opposes the prayer for anticipatory bail application in respect of the petitioner.

6. Considering the aforesaid fact that the only reason of cognizance is the judgment which governs the issues, while there is nothing cogent material referred for differing with the



Police report which exonerates this petitioner. Accordingly, this Court is inclined to grant the privilege of anticipatory bail to the petitioner.

7. Let the petitioner, above named, in the event of his/her arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Saran at Chapra in connection with the aforementioned P.S. Case, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

*(i) one of the bailors should be the family member/relative/known of the petitioner(s) who shall provide official document/personal affidavit to show his/her bona fide;*

*(ii) the petitioner(s) shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her/their bail bond by the Trial Court itself;*

*(iii) the petitioner(s) shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;*



*(iv) the petitioner(s) shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.*

**(Ajit Kumar, J)**

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