**IN THE HIGH COURT OF JUDICATURE AT PATNA**
**CRIMINAL MISCELLANEOUS No.59001 of 2026**

**CNR No. BRHC010834062026**

Arising Out of PS. Case No.-69 Year-2026 Thana- SIKTA District- West Champaran

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1. Akabul Haque @ Atbul Alam S/O Rasul Azam @ Rasul Alam Ansari @ Rasul Azam Ansari @ Rasul Ajam R/O Village- Sirisiya, P.S.- Sikta, Distt.- West Champaran.
2. Ijhar Ansari S/O Late Ramjan Ansari R/O Village- Sirisiya, P.S.- Sikta, Distt.- West Champaran.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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**Appearance :**
For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Rajendra Prasad Nat, A.P.P.
For the Informant : Mr. Arbind Kr. Sharma, Advocate

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**

ORAL ORDER

4 27-10-2026 Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. Both petitioners are named in the FIR and apprehending their arrest in connection with Sikta P.S. Case No.69 of 2026 registered under Sections 103(1), 61(2) and 238 of the Bharatiya Nyaya Sanhita, 2023.

3. As per the FIR, the son of the informant, namely, Saidullah, aged 20 years, left the house after receiving a call on 06.03.2026 at about 10.30 PM and did not return, on the next date i.e. on 07.03.2026, the dead body of the son of the informant along with dead body of daughter of petitioner no. 2

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namely, Sahabun Nesha found hanging on the branch of the tree in the mango orchard of one Suba Yadav. The informant disclosed that his deceased son was in love affair with the deceased daughter of Ijhar Ansari, and the said love affair was not approved by her family members and they usually used to threaten his son. It is also alleged that several co-villagers witnessed the co-accused persons including petitioners returning from the side of the orchard, where the dead bodies of both girl and boy were found hanging.

4. It is submitted by learned counsel appearing on behalf of petitioners that the dead body of the deceased son of the informant was recovered on 07.03.2026, i.e. on the very next date of the occurrence. It is submitted that the informant was well aware about the relationship of his deceased son with the deceased girl and they, out of their failed love affair, committed suicide as the parents were not approving their love affair and just to save themselves, the present false case was lodged in a very planned manner after 2 months of the occurrence i.e. on 05.05.2026. The case is based on circumstantial evidence and merely on the basis of suspicion arising out of love affairs, the family members of the deceased girl were implicated being mother and unmarried sister of the deceased girl. Arguing

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further, it is submitted that the post-mortem report categorically opined that the death of the son of the informant was caused due to “asphyxia due to hanging” suggesting suicide and it also failed to find any external injury on his body to further suggest that he was not assaulted physically soon before the occurrence. In this context, it is further submitted that the one another case regarding death of the daughter of the informant was also lodged by the father of the deceased girl as Complaint Case No. 707/2026 before the learned CJM, Bettiah, West Champaran.

5. Learned APP as well as learned counsel for the informant while opposing the prayer of bail submitted that it was a brutal murder of son of the informant for the reason that the informant categorically suggest through FIR that the leg of deceased son of informant was touching the ground and, therefore, it is not a case of suicide. She also witnessed the injury on neck of his deceased son and face. It is also submitted that the several co-villagers disclosed to this informant that they witnessed returning of accused persons including petitioners from the orchard, where the dead body was found hanging. It is also submitted by learned counsel that the witnesses further found carrying the dead body of the daughter from the place of occurrence and in support of his submission, learned counsel

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drawn attention of this Court towards paragraph no. 5 of the impugned order, where paragraph no. 37, 38 and 39 of case diary was referred. However, he could not dispute the fact that FIR in issue was lodged after two months of the occurrence. He also could not dispute the love affair between the deceased daughter of the petitioner no. 2 and his deceased son.

6. Taking note of the aforesaid submission, it is further submitted by learned counsel appearing for the petitioners that it is very natural to collect the dead body of deceased daughter by other family members and, therefore, merely on this submission, it cannot be said that the petitioners were involved in present crime in question.

7. In view of aforesaid factual submissions and by taking note of fact as the post-mortem report of the deceased categorically suggest that death was caused as a result of “asphyxia due to hanging”, where FIR was lodged after two months of the occurrence without any just explanation coupled with the fact that petitioner no. 1 is cousin and petitioner no. 2 is father of the deceased girl, where the FIR *prima facie* shows only suspicions against the petitioners, accordingly, both above named petitioners, are directed to be released on bail, in the

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event of their arrest or surrender in the court below within a period of eight weeks, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Bettiah, West Champaran, in connection with Sikta P.S. Case No.69 of 2026, subject to the conditions as laid down under Section 438(2) of the CrPC/under Section 482(2) of the BNSS.

**(Prabhat Kumar Singh, J)**

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