

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62220 of 2025

Arising Out of PS. Case No.-181 Year-2025 Thana- BHARGAMA District- Araria

1. Devan Sharma @ Bhutan Sharma Son of Late Sukhdeo Sharma R/o Village - Simarbani, Sharma Tola, Ward no. 7, P.S. - Bhargama, Dist. - Araia.
2. Rekha Devi W/o Devan Sharma @ Bhutan Sharma R/o Village - Simarbani, Sharma Tola, Ward no. 7, P.S. - Bhargama, Dist. - Araia.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kishore Bharti, Advocate

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 19-03-2026

Heard Mr. Vijay Kishore Bharti, learned counsel for the petitioners as well as Mr. Bhanu Pratap Singh, learned Additional Public Prosecutor for the State.

2. Petitioners seeks bail who are in custody since 28.05.2025 in connection with Bhargama P.S. Case No. 181 of 2025, F.I.R. dated 27.05.2025 for the offences punishable under Sections 80, 238, 61(2), 3(5) of the Bharatiya Nyay Sanhita, 2023.

3. According to prosecution case, it is alleged the daughter of the informant was subjected to torture by the petitioners and others due to non-fulfillment of demand of dowry. On 26.05.2025, the deceased was denied to perform *vat savitri* puja and told to work on maize field and when she returned home, she was humiliated in front of everyone due to which she consumed poison. It is further alleged that the accused persons without



informing the family members of the deceased, burnt the body of the deceased and thrown it near river.

4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they falsely been implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioners have not committed any offences as alleged in the F.I.R. Petitioner no.1 is father-in-law and petitioner no.2 is mother-in-law of the deceased. From bare perusal of the FIR it appears that informant himself has accepted in the FIR that his daughter has consumed poison due to some petty dispute with her in-laws. He further submits that the cremation of the deceased was performed in presence of the informant and other family members of the deceased and the petitioners are in custody since 28.05.2025.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances and the fact that the informant himself has accepted in the FIR that his daughter (deceased) had consumed poison, let the petitioners, above named, 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., Araria in connection with



Bhargama P.S. Case No. 181 of 2025, subject to the following conditions:-

i. Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

ii. If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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