

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72571 of 2025

Arising Out of PS. Case No.-123 Year-2025 Thana- BASANTPUR District- Siwan

1. Sunil Sah Son of Late Ram Swaroop Sah Resident Of Village- Ujjaina, Ps -Lakari Naviganj, Dist- Siwan
2. Sudish Sah son of Late Ram Swaroop Sah Resident Of Village- Ujjaina, Ps -Lakari Naviganj, Dist- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Tiwary

For the Opposite Party/s : Mr.Uday Pratap Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 24-03-2026 1. Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Section 80 of the B.N.S.

3. The learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and the informant alleges that his daughter was married in the Year 2019 and on 05.03.2025, he received an information that his daughter has been killed, thus the informant reached at the place of occurrence and saw the dead body of his daughter kept on a bed and family members were absconding, thus alleges that 12



accused persons killed his daughter as they were demanding Rs.2 Lacs in dowry.

4. The learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case being elder brother of the husband of the deceased. It is next submitted that informant is not an eye witness to the occurrence and the entire allegation hinges around suspicion. It is further submitted that husband has not been made an accused, but then, informant has implicated 12 accused persons in the case. It is next submitted that had the petitioners been involved in the occurrence of killing the deceased, in that event, efforts would have been made to dispose off the dead body with a view to conceal the evidence, but then, from perusal of the allegation as alleged in the FIR, it would manifest that the informant alleges that when he reached at the place of occurrence, saw the dead body of his daughter lying on a bed and the dead body was sent for post mortem for ascertaining the cause of death and the post mortem report records asphyxia due to hanging. It is further submitted that this amply demonstrates that the victim committed suicide. It is further submitted that no doubt, the occurrence took place within six years of marriage, as such, presumption in law is against the husband and his family



members, but then, the husband has not been made an accused. It is also submitted that even presuming what has been alleged is true that victim died on account of asphyxia due to hanging, in that event also, it was husband who created condition conducive for the victim to take extreme steps of ending her life, but then, husband is not made an accused. It is also submitted that petitioners will not abscond rather will cooperate in the investigation to prove their innocence.

5. Learned A.P.P. opposes the anticipatory bail application.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners, above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks, are directed to be released on anticipatory bail on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Trial Court where the case is pending/successor Court in connection with Basantpur P. S. Case No.123 of 2025, subject to the conditions laid down under Section 482(2) of the B.N.S.S.

7. The application stands allowed.

8. However, it is made clear that in the event, if any



application is filed by the Investigating Officer before the learned trial Court bringing to its notice that petitioners, despite giving assurance to this Court, are not cooperating in the investigation or are not presenting themselves as and when required, the learned trial Court shall be at liberty to cancel the bail bonds of the petitioners after recording reasons.

9. Let a copy of this order be sent to the concerned Police Station through the learned trial Court.

(Satyavrat Verma, J)

vikash/-

U		T	
---	--	---	--

