

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77364 of 2025

Arising Out of PS. Case No.-37 Year-2025 Thana- TARABARI District- Araria

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1. MD. SABIR @ SABIR Son of Late Hasib R/o village - Baturbari, Ward No.- 9, P.S.- Tarabari, District - Araria
 2. Bibi Nirsi @ Nooresa Wife of Md. Sabir @ Sabir R/o village - Baturbari, Ward No.- 9, P.S.- Tarabari, District - Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md Naushaduzzoha

For the Opposite Party/s : Mr. Kumar Veerendra Narayan

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 15-05-2026 1. Heard learned counsel for the petitioners and the learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 80 and 3(5) of the BNS.

3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and the informant alleges that his daughter was married to Md. Babul on 10.04.2025, further after marriage, the accused persons including the maternal uncle of Babul started demanding a motorcycle and a mobile, the victim on 09.05.2025 informed the informant about the demand and disclosed that if the demand is



not met, the accused persons would kill her, further on the next day at 05.07 A.M., Babul called and informed that the victim has committed suicide, accordingly, the informant reached the place of occurrence and saw the victim hanging and no one was present in the house, thus, alleges that accused persons strangled the victim to death and thereafter hanged her body.

4. Learned counsel for the petitioners submits that petitioners being father-in-law and mother-in-law have been falsely implicated in the instant case by the informant. It is next submitted that informant is not an eyewitness to the occurrence and the entire allegation hinges around suspicion. It is further submitted that from perusal of the allegation as alleged in the FIR, it would manifest that thrust of allegation is against Babul and the maternal uncle and as far as petitioners are concerned, the allegation of demand of dowry and torture is general and omnibus in nature. It is further submitted that had the petitioners been involved in the occurrence, in that event, efforts would have been made to dispose of the dead body with a view to conceal the evidence but then the dead body was lying in the house and was sent for postmortem for ascertaining the cause of death. It is next submitted that postmortem report records the cause of death as asphyxia on account of hanging, which amply



demonstrates that victim committed suicide and was not strangled to death as alleged in the FIR. It is next submitted that whenever any dispute arises in between the husband and the wife and the occurrence of the nature as alleged takes place, the entire family members are implicated in a mechanical manner with general and omnibus allegation. It is further submitted that husband is in custody and if privilege of anticipatory bail is granted, the petitioners will not abscond rather will cooperate in the trial court prove their innocence.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

6. Considering the submissions made by the learned counsel for the petitioners, let the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds 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 Tarabari P.S. Case No. 37 of 2025, subject to the conditions as laid down under Section 482(2) of the BNSS.

7. However, if the investigating officer of the case



files an application before the learned trial court bringing to its notice that the petitioners despite giving assurance to this Court are not cooperating in the investigation, the learned trial court shall be at liberty to cancel the bail bonds of the petitioners.

(Satyavrat Verma, J)

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