

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78388 of 2025

Arising Out of PS. Case No.-140 Year-2023 Thana- RAJEPUR District- East Champaran

1. Vikash Kumar S/o Yogendra Sah R/o Village - Madhuaha Brit, P.S - Rajepur, District - East Champaran
2. Soni Kumari D/o Yogendra Sah R/o Village - Madhuaha Brit, P.S - Rajepur, District - East Champaran
3. Sarita Devi W/o Yogendra Shatrudhan Sah D/o Yogendra Sah, R/o Village - Parsa, P.S - Dhaka, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate

For the Opposite Party/s : Mr. Upendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 05-01-2026 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with Rajepur P.S. Case No. 140 of 2023, instituted under Sections 304(B), 328, 302, 201, 120(B), 34 of the Indian Penal Code.

3. As per the prosecution case, sister of the informant was married with the co-accused, namely Satyendra Shah in the year 2011 and due to non-fulfillment of dowry demand sister of the informant was killed by administering her poison by the accused persons including the petitioners.

4. Learned counsel for the petitioners submits that petitioners are innocent and have falsely been implicated in this



case being family members of the husband of the victim. Petitioner No. 1 is brother, Petitioner No. 2 is unmarried sister and Petitioner No. 3 is married sister of the husband of the victim. Learned counsel submits that death of the victim was taken place after about 12 years and Section 304(B) of the I.P.C. is not applicable in the present case. Sister of the informant was taken to hospital for treatment regarding suspected snake bite and the *post-mortem* report also shows snake bite on the body of the deceased, however, in F.S.L. report Aluminum Phosphide was detected in the food of the victim which is contrary to the *post-mortem* report. There is doubt over the cause of death. It is further submitted that petitioners have no concern with the family affairs of the victim and her husband. Husband of the victim, namely Satyendra Shah and her father-in-law, namely Yogendra Shah have been granted regular bail by Co-ordinate Benches of this Court, vide order dated 06.08.2025 passed in Cr. Misc. No. 20893 of 2025 and order dated 22.05.2024 passed in Cr. Misc. No. 15855 of 2024 respectively. Petitioners have no criminal antecedents. Petitioners undertake to co-operate in the investigation and trial.

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



6. Considering the facts and circumstances of the case and submission of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioners be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, East Champaran, Motihari in connection with Rajepur P.S. Case No. 140 of 2023, subject to the conditions laid down in Section 482 (2) of the Bharatiya Nagrik Suraksha Sanhita (B.N.S.S.), 2023.

(Sunil Dutta Mishra, J)

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