

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87044 of 2025

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

1. Rajesh Sah Son of late Ram Swaroop Sah
 2. Ashok Sah Son of Late Ram Swaroop Sah
- Both are Resident Of Village - Ujjaina, P.S. - Lakari Naviganj, DIst. - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Tiwary, Advocate

For the Opposite Party/s : Mr.Md. Ataur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 28-01-2026 Heard Mr. Ajay Kumar Tiwary, learned counsel
appearing on behalf of the petitioners and Mr. Md. Ataur
Rahman, learned APP for the State.

2. The petitioners seek pre-arrest bail in connection
with Basantpur P.S. Case No. 123 of 2025 registered for the
offence(s) punishable under Sections 80 of the BNS.

3. As per the allegation made in the FIR, the
petitioners along with other accused persons have killed the
daughter of the informant, due to non-fulfillment of demand of
dowry.

4. Learned counsel appearing on behalf of the
petitioners submitted that due to strained matrimonial



relationship and some mental problem, the daughter of the informant (deceased) committed suicide as would appear from the postmortem report. Petitioners, who are close relatives of the husband of the deceased, have been roped in a false criminal case. Petitioners are *Bhaisur* of the deceased and they have no concern with the family affairs of her husband as they are living separately. Similarly situated co-accused has also been granted bail by this Court vide order dated 14.10.2025 passed in Cr. Misc. No.66682 of 2025. Petitioners have clean antecedents. On these grounds, petitioners seek to be released on pre-arrest bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Having considered the rival submissions made on behalf of the parties, as well, having perused the allegation made in the FIR and also the fact that the petitioners are *Bhaisur* of the deceased and they have no concern with the family affairs of her husband as they are living separately. I am of the opinion that petitioners, who have clean antecedents, have, *prima facie*, made out a case to be released on pre-arrest bail.

7. The petitioners, above named, are directed to be released on pre-arrest bail, in the event of their arrest or



surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, 1st Siwan / Concerned Court in connection with Basantpur P.S. Case No. 123 of 2025, subject to the conditions as laid down under Section 482(2) of the BNSS.

8. The learned District Court is directed to verify the criminal antecedent of the petitioners and if it is found that the petitioners are involved in some other cases, as what has been stated in paragraph no.3 of the bail application, this order will automatically lose its force.

(Purnendu Singh, J)

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