

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85485 of 2025

Arising Out of PS. Case No.-737 Year-2025 Thana- SIKARPUR District- West Champaran

1. Hari Narayan Sah @ Hari Narayan Kumar Prasad Son of Rajalal Sah @ Sajalal Sah R/o Village - Lachhanauta, Police station - Gaunaha, District - West Champaran.
2. Satrudhan Sah @ Satrudhan Prasad Son of Late Ram Dayal Sah R/o Village - Lachhanauta, Police station - Gaunaha, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra, Advocate
For the Opposite Party/s : Mr. Satyendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 15-01-2026 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. Petitioners apprehend their arrest in connection with Shikarpur P.S. Case No. 737 of 2025 registered for the offences under Sections 80, 238 and 3(5) of the B.N.S., 2023.

3. As per the prosecution case, the informant has alleged that his daughter was married to one Nitesh Kumar and thereafter she went to her matrimonial home. It has further been alleged that subsequently the daughter of the informant complained of torture on account of demand of dowry. It has lastly been alleged that when the informant went to the house of the said Nitesh Kumar, who was residing in a rented premises,



he could not find his daughter and therefore has raised apprehensions that his daughter had been murdered by the accused persons including the petitioners.

4. Learned counsel appearing on behalf of the petitioners submit that the petitioners are not members of the immediate family of the accused Nitesh Kumar and in fact are his agnates and have no concern whatsoever with the matrimonial affairs of Nitesh Kumar, husband of the deceased. It has further been submitted that the allegations levelled in the FIR are general and omnibus in nature against all the accused persons and that as per the own version of the informant, the accused Nitesh Kumar was residing in a rented house belonging to Sanjay Kumar and therefore, the petitioners cannot be saddled with any liability in connection with the alleged death of the daughter of the informant. It has lastly been submitted that the husband of the deceased is already in custody and that the petitioners carry clean antecedents.

5. Learned APP for the State has vehemently opposed the prayer for anticipatory bail.

6. Considering the aforesaid submission, facts and circumstances of the case, let the petitioners above named be released on anticipatory bail, in the event of arrest or surrender



before the learned Court below within a period of four weeks from today, on furnishing bail bonds of Rs.10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor court in connection with Shikarpur P.S. Case No. 737 of 2025 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure read with corresponding Section 482(2) of B.N.S.S. as well as subject to the following conditions:-

- (i) One of the bailors of the petitioners shall be their close relative.
- (ii) The petitioners shall remain physically present in Court on each date of the trial.
- (iii) In case of absence on two consecutive dates, or in violation of the terms of the bail, the bail bond of the petitioners will be liable to be cancelled by the Court concerned.
- (iv) If the petitioners are found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.
- (v) The learned 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 petitioner. 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.

7. Accordingly, the present application stands disposed of.

(Sourendra Pandey, J)

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