

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86133 of 2025

Arising Out of PS. Case No.-470 Year-2025 Thana- BIKRAM District- Patna

1. Bajanti Devi W/o- Kameshwar Paswan R/v- Sarwan Bhadsara PS- Bikram Dist- Patna
2. Puja Devi W/o- Suraj Paswan @ Suraj R/v- Sarwan Bhadsara PS - Bikram Dist- Patna
3. Sonali Kumari @ Saloni Kumari D/o- Kameshwar Paswan R/v- Sarwan Bhadsara PS- Bikram Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Saroj Kumar Sharma, Advocate Mr. Anupam Bahadur, Advocate Mr. Vikash Kumar, Advocate Mr. Sunny Kumar, Advocate Mr. Piyush Kumar, Advocate
For the Opposite Party/s	:	Mr. Umanath Mishra, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 5 07-04-2026 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.
2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 108, 3(5) and 238 of the BNS, 2023.
3. The Investigating Officer of the case, in compliance of the order dated 10.03.2026, is present in the Court.
4. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and are women and the informant alleges that her daughter was married to Sudama about 15 years back. Further, on 26.09.2025, Sudama called her



and informed that he has come to Darbhanga and a call had come from his house informing that victim consumed poison, accordingly, the informant reached the place of occurrence but found the door locked and no one was present in the house. It is next alleged that her second son-in-law Deepak called the informant and informed that victim has been taken to the hospital by Suraj, Puja, Bajanti, Kameshwar and Sonali and the Doctor informed that the victim died, hence, they fled with the dead body thereafter the informant started searching the children of her daughter and three children were found and the elder daughter disclosed that uncle Suraj was strangulating the victim while Puja was holding her leg and Kameshwar (grandfather) told Suraj to put clothes in the mouth of the victim so that she dies, thus, alleges that accused persons including the petitioners killed her daughter.

5. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant. It is further submitted that from perusal of the allegation as alleged in the FIR, it would manifest that the victim was married to Sudama about 15 years back and in these 15 years no case ever came to be instituted either by the victim or the informant alleging torture by the accused persons. It is next submitted that husband of the deceased is not an accused in the instant FIR. It is also submitted that the informant based on



disclosure made by the elder daughter of the victim alleged that it was Suraj along with other named accused persons involved in killing of the deceased but then it is submitted that from perusal of the postmortem report, it would manifest that the victim died on account of drowning, as such, the allegation as alleged in the FIR gets belied from the postmortem report.

6. On query of the Court from the Investigating Officer about the case, the Investigating Officer also very fairly submitted that the cause of death is asphyxia on account of drowning. It is further submitted that even the statement of the daughter of the victim was recorded wherein she stated that on the date of occurrence she was in the school and she was informed that her mother was unwell, as such, she came to the house but did not find her mother but then she also disclosed that a day before she had heard her grandmother talking to her uncle and were discussing how to kill the victim. It is next submitted that during the course of investigation, no such call from the grandmother to the uncle of the daughter of the victim had gone.

7. At this stage, learned counsel appearing on behalf of the petitioners submits that the victim had gone to the river for taking bath where she got drowned but then for reasons best known the informant falsely implicated the accused persons including the petitioners excluding the husband of the victim



which casts an aspersion on the case of the prosecution.

8. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners but then fairly submits that the cause of death as recorded in the postmortem report is asphyxia on account of drowning.

9. After hearing the learned counsel for the parties, let the petitioners, above-named, in the event of their arrest or surrender 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 Bikram P.S. Case No. 470 of 2025, subject to the conditions as laid down under Section 438(2) of the Cr.P.C./482(2) of the B.N.S.S.

10. The personal appearance of the Investigating Officer of the case is dispensed with.

(Satyavrat Verma, J)

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