

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2161 of 2026

Arising Out of PS. Case No.-72 Year-2025 Thana- HATHAURI District- Muzaffarpur

Gopal Sahni Son of Ram Karan Sahani Resident of Village- Jhhitkahiya,
Jitkahiya, P.S.- Aurai, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shanti Bhushan Singh, Advocate

For the Opposite Party/s : Mr. Bishweshwar Ram, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 27-04-2026 1. Heard learned counsel for the petitioner and the
learned APP for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 103(1),
61(2) and 3(5) of the BNS.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and the informant
alleges that his son Raja was married to Khusbu on 11.05.202,
further, on 11.05.2025, his son had gone to the parental house of
his wife for bringing her back and thus asked her to accompany
him on 12.05.2025, on which an altercation took place, but the
named accused persons including the petitioner asked his son to
stay back, it is further alleged that the accused persons assaulted
and killed his son thereafter hanged his dead body on a tree in



an orchard, it is next alleged that while his son was being assaulted, he had called at 06:03 PM, but thereafter his phone was switched off.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is further submitted that informant is not an eyewitness to the occurrence nor the FIR even remotely discloses or suggests that the victim while talking to the informant disclosed who was assaulting him. It is next submitted that petitioner is the brother-in-law of the deceased and no brother-in-law would want his sister to become a widow. It is also submitted that had the petitioner 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 found hanging on a tree in an orchard. 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 allegations. It is further submitted that police after investigation submitted charge-sheet under Sections 108, 61(2) and 3(5) of the BNS against some of the accused, finding that the deceased



committed suicide, but then investigation against the petitioner is continuing. It is next submitted that if privilege of anticipatory bail is granted, the petitioner will not abscond rather will cooperate in the investigation to prove his innocence.

5. The learned APP for the State opposes the anticipatory bail application of the petitioner.

6. Considering the submissions made by the learned counsel for the petitioner, let the petitioner above-named, in the event of his arrest or surrender within a period of six weeks from today, be released on provisional anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) 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 Hathauri P.S. Case No. 72 of 2025, subject to the conditions as laid down under Section 482(2) of the BNSS.

7. However, it is made clear that in the event if the Investigating Officer of the case files an application before the learned Trial Court bringing to its notice that petitioner despite giving assurance to this Court is not co-operating in the investigation, in that event the learned Trial Court shall be at liberty to cancel the bail bonds of the petitioner.



8. Let a copy of this order be sent to the concerned police station through the learned Trial Court.

9. Accordingly, the instant anticipatory bail application stands allowed.

(Satyavrat Verma, J)

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