

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90038 of 2025

Arising Out of PS. Case No.-107 Year-2025 Thana- Gadhiya Bazar District- East Champaran

Arjun prasad S/O Late Jagdev Prasad @ Late Jagadev Prasad @ Late Jagadev
Bhagat Resident of village - Sawangiya, P.S- Garahiya Bazar, Dist.- East
Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar

For the Opposite Party/s : Mr.Arun Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 20-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

02. In the present case, the petitioner seeks bail in connection with Garahiya Bazar P.S. Case No. 107 of 2025 registered for the alleged offences under Sections 103(1), 80(2) and 3(5) of B.N.S.

03. As per prosecution case, the daughter of the informant died in her matrimonial home within a year of marriage. The petitioner is the husband of the deceased.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. From the FIR it is apparent that there is no demand of dowry or torture related to the said demand., though the allegation has been made that the petitioner was in illicit



relationship with his sister-in-law (Bhabhi) and for this reason, both of them committed the murder of the daughter of the informant. Learned counsel further submits that, in fact, the marriage of the petitioner and the deceased was out of a love affair and the deceased was a hypersensitive lady and over some minor issue she committed suicide. This fact is corroborated from the postmortem report as no external injury was found and the cause of death stated to be asphyxia due to hanging. Co-accused Kavita Devi has been granted anticipatory bail by a Co-ordinate Bench vide order dated 29.01.2026 passed in Cr. Misc. No. 3899 of 2026. Learned counsel further submits that the petitioner is aged about 22 years and he bears clean antecedent. The petitioner is in custody since 26.06.2025 and charge sheet has been submitted.

05. Learned APP opposes the submission made on behalf of the petitioner. Learned APP submits that from the postmortem report it is apparent that the death was due to hanging and there is specific allegation against the petitioner and co-accused Kavita Devi for killing the daughter of the informant by hanging her.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the



period of custody of the petitioner, his age, clean antecedent and submission of charge sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Ist Class, East Champaran, Motihari/concerned Court in connection with Garahiya Bazar P.S. Case No. 107 of 2025, subject to the conditions mentioned in Section 480(3) of B.N.S.S. and also the following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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