

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1611 of 2026

Arising Out of PS. Case No.-285 Year-2024 Thana- SIDHWALIYA District- Gopalganj

1. Lalbabu Sahni @ Babulal Sahni S/O Late Jamuna Sahni All Resident of Village- Hassanpur Mathiya, P.S. - Sidhwalia, District -Gopalganj.
2. Urmila Devi @ Parmila Devi W/O Lalbabu Sahni @ Babulal Sahni All Resident of Village- Hassanpur Mathiya, P.S. - Sidhwalia, District -Gopalganj.
3. Deepak Kumar Sahni @ Dilip Kumar Sahni S/O Lalbabu Sahni @ Babulal Sahni All Resident of Village- Hassanpur Mathiya, P.S. - Sidhwalia, District -Gopalganj.
4. Awdhesh Kumar Sahni @ Awdhesh Sahni S/O Lalbabu Sahni @ Babulal Sahni All Resident of Village- Hassanpur Mathiya, P.S. - Sidhwalia, District -Gopalganj.
5. Subhash Sahni S/O Jamo Sahni All Resident of Village- Hassanpur Mathiya, P.S. - Sidhwalia, District -Gopalganj.
6. Sobha Devi W/O Subhash Sahni All Resident of Village- Hassanpur Mathiya, P.S. - Sidhwalia, District -Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anand Vardhan, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 27-04-2026 1. Heard learned counsel for the petitioners and the learned APP for the State, Mr. Chandra Bhushan Prasad.
2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 80, 238, 115(2), 74, 303(2) and 3(5) of the BNS, 2023.



3. The learned counsel for the petitioners submits that petitioners are persons with clean antecedent and the informant alleges that her daughter was married to Ajay on 24.04.2024, after marriage, the accused persons were harassing her daughter for dowry, next alleges that on 09.10.2024 at 04:00 PM, all the accused persons including the petitioners along with 5-6 unknown accused strangled the victim to death, accordingly, on coming to know about the occurrence, informant reached the place of occurrence at 06:00 PM and asked the accused persons to take the dead body to the PS, on which she was assaulted and unveiled and they snatched her mobile, hence the informant could not inform the police station and also snatched keys of her vehicle and she had to flee from the place of occurrence and the accused persons cremated the dead body in haste.

4. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant. It is next submitted that from perusal of the allegation as alleged in the FIR, it would manifest that informant is not an eye witness to the occurrence and the entire allegation hinges around suspicion. It is further submitted that even allegation of demand of dowry and torture is general and omnibus in nature. 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 next submitted that even cousin father-in-law and mother-in-law of the deceased have been implicated when they do not have any role to play in day to day life of the deceased and her husband and they even live separately, which amply demonstrates the manner in which the family members came to be implicated. It is also submitted that Usha Devi along with two other had approached this Court seeking anticipatory bail by filing Criminal Miscellaneous No. 73900 of 2025 and the same came to be allowed by an order dated 27.11.2025.

5. Learned A.P.P. for the State, Mr. Chandra Bhushan Prasad, vehemently opposes the prayer for anticipatory bail of the petitioners and submits that what is not in dispute rather stands admitted is that victim died within seven years of marriage, as such, in law presumption is against the husband and his family members. It is next submitted that no doubt Usha Devi along with two others were granted the privilege of anticipatory bail by an order dated 27.11.2025 in Criminal Miscellaneous No. 73900 of 2025, but then the case of Usha



Devi and others is not akin to the case of petitioner nos. 1, 2, 3 and 4 in the instant anticipatory bail application, as they are own father-in-law, mother-in-law and brother-in-laws while Usha Devi and two others who had approached this Court seeking anticipatory bail were cousin of the husband of the deceased. The learned APP also submits that in the instant case, petitioner nos. 5 and 6 are similarly situated like that of Usha Devi and others. It is further submitted that there is a specific allegation in the FIR that the dead body was not sent for postmortem rather was cremated in haste. It is further submitted that it is not possible for the husband alone to cremate the dead body without the support of his family members. It is next submitted that investigation in the case is continuing.

6. 9. After hearing the learned counsel for the parties, the **petitioner nos. 5 and 6 only** 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 Sidhwaliya P.S. Case No. 285 of 2024 subject to the conditions as laid down under Section 482 (2) of the BNSS.



**7. However, the Court is not inclined to extend the
privilege of anticipatory bail to petitioner nos. 1, 2, 3 and 4.**

(Satyavrat Verma, J)

Rishabh/-

U		T	
---	--	---	--

