

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6163 of 2025

Arising Out of PS. Case No.-358 Year-2024 Thana- MURLIGANJ District- Madhepura

Mithilesh Kumar S/o Ramchandra Yadav R/o vill - Jahangir Tola, Ward no. 15, P.s. - Murliganj, Distt.- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Uday Chand Prasad, Advocate
For the State	:	Mr. Nagendra Prasad, APP
For the Informant	:	Mr. Pawan Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 13-05-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Murliganj P.S. Case No. 358 of 2024, registered for the offences under Sections 80, 3(5) of B.N.S. and under Section 3/4 of Dowry Prohibition Act.

3. As per the prosecution case, the petitioner was married with the daughter of the informant in the year 2018 and birth of two daughters took place out of this wedlock. Further allegation against the petitioner is that he had been demanding Rs. 1 lakh and on non-fulfillment of demand his wife was driven out from her matrimonial home. On 03.08.2024, the informant brought her back to her matrimonial home wherein on

04.08.2024 she was assaulted by the petitioner and others and they also assaulted the informant and thereafter, the petitioner and his family members put a rope in the neck of the daughter of the informant and killed her.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The petitioner is the husband of the deceased and used to keep his wife with dignity and honour. There was cordial relationship between the two and birth of two girl child took place. On the date of occurrence, the petitioner has been going for the work of labourer when his wife created a scene and started quarreling over small matters. The petitioner chided her and went away for his work. In the absence of the petitioner his wife committed suicide by hanging himself on 04.08.2024 and the nearby people informed the petitioner who rushed there and found his wife in dead. The petitioner informed his father-in-law who participated in the cremation but with illegal motive lodged false case against the petitioner and his parents. Learned counsel for the petitioner further submits that during investigation a number of independent witness were examined who categorically stated that petitioner's wife committed suicide by hanging. Learned counsel for the petitioner further submits that petitioner is having no criminal antecedent and he is in

custody since 10.08.2024. Charge sheet has been submitted.

5. Learned A.P.P. appearing for the State and learned counsel for the informant opposes the submission made on behalf of the petitioner. Learned counsel for the informant submits that the petitioner is the main culprit who assaulted his father-in-law and strangled his wife to death. He further submits that postmortem report clearly shows cause of death is asphyxia due to ligature strangulation and this shows the wife of the petitioner did not commit suicide and she was strangled.

6. Having regard to the serious nature of allegation against the petitioner for causing dowry death of his wife, I am not inclined to enlarge the petitioner on bail and hence his prayer for bail is rejected.

(Arun Kumar Jha, J)

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