

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24666 of 2025

Arising Out of PS. Case No.-290 Year-2023 Thana- KANTI District- Muzaffarpur

Pintu Kumar Bhagat, Son of Ganesh Bhagat, resident of village-Harichanda
Mali tola, P.S.- Kanti, Dist- Muzaffarpur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur, Advocate Mrs. Vaishnavi Singh, Advocate Mr. Ritwik Thakur, Advocate
For the State	:	Mr. Damodar Prasad Tiwary, APP
For the Informant	:	Mr. Raju Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

6 31-07-2025 The defect(s) as pointed out by the office is ignored

for the present.

2. The accused/petitioner seeks bail in connection

with Sessions Trial No.116 of 2024 arising out of Kanti

(Panapur O.P) P.S. Case No.290 of 2023 registered for the

offences punishable under Sections 304-B, 504 and 506 read

with 34 of the Indian Penal Code.

3. The accused/petitioner is named in the FIR and

is in custody since 13.07.2023.

4. The allegation against the petitioner is to cause

death of the sister of the informant along with the other

family members/co-accused due to non-fulfilment of the



demand of dowry as raised for cash of Rs.2 lakhs.

5. Mr. Ajay Kumar Thakur, learned counsel while arguing for the petitioner submitted that at the relevant point of time, the petitioner/husband was in Pune and on the very same day, some hot exchange of words took place over phone due to certain financial issues of the family, whereafter the wife of petitioner being a short tempered lady, committed suicide. In support of his submission, Mr. Thakur pointed out that except ligature mark, no injury was noticed upon the body of the deceased, negating *prima facie* physical assault soon before the occurrence. It is pointed out that raising the demand for dowry is not specific against petitioner being the husband. It is pointed out that the petitioner is in custody for more than two years and till now only four prosecution witnesses were examined and, as such, conclusion of trial is a remote aspect. While concluding argument, it is submitted that nothing surfaced during the investigation, which may suggest that the act of the petitioner was so active or direct, which forced his wife to commit suicide, without leaving other option.



6. Learned APP duly assisted by Mr. Raju Kumar, learned counsel appearing for the informant while opposing the prayer for bail submitted that the petitioner is the husband of the deceased, who along with members of his family collectively raised the demand for dowry.

7. In view of the aforesaid factual submissions and by taking note of fact as the postmortem report negate *prima facie* any physical assault on deceased soon before the occurrence, where the demand of dowry also appears general and omnibus, coupled with the fact that the petitioner remains in custody since 13.07.2023, where conclusion of trial *prima facie* appears remote aspect, accordingly, the petitioner, above-named, is directed to be released on bail furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge-VIII, Muzaffarpur in connection with Kanti (Panapur O.P.) P.S. Case No.290 of 2023, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure (for short 'CrPC')/under Section 480(3) of the Bhartiya Nagrik



Suraksha Sanhita (for short 'BNSS') and with further
condition:-

(i) That petitioner shall co-operate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court only on medical ground of the petitioner duly supported by the documents.

(ii) That the petitioner shall not make any deliberate attempt to delay the trial failing which, the prosecution/State shall be at liberty to press before the learned trial court itself for cancellation of bail bonds of the petitioner.

Chandra Shekhar Jha, J.)

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