

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22900 of 2025**

Arising Out of PS. Case No.-92 Year-2024 Thana- KORANSARAI District- Buxar

Krishna Yadav S/O Rajesh Yadav R/O Vill- Bankat Thak- Koransarai,
District- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Saroj Kumar Upadhyay, Advocate
For the Opposite Party/s : Mr. Anil Kumar Singh No. 1, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 24-07-2025 Heard learned counsel for the petitioner and learned APP
for the State. Perused the case diary.

2. The petitioner seeks bail in connection with
Koransarai P.S. Case No. 92 of 2024 instituted for the offence
under Sections 80(2) & 3(5) of the Bharatiya Nyaya Sanhita,
2023.

3. The informant stated that his daughter, Ganga Devi,
was married to petitioner on 15.07.2024, and petitioner treated
initially her daughter well, but later harassed and beaten over
dowry demands of Rs. 50,000/-. Informant's daughter frequently
complained about the abuse, including being insulted for her
complexion. On 13.10.2024, after informing her friend about
severe assault, informant's daughter was found dead by



strangulation, allegedly at the hands of her husband and in-laws.

4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 14-10-2024. Petitioner bears no criminal antecedent, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case as the post-mortem report contradicts the FIR by confirming death due to sub-dural hemorrhage from a blunt object, not strangulation. There is no specific allegations against petitioner, and the injury may have resulted from an accidental fall. It is submitted that the petitioner had a love marriage with the deceased, and no dowry demand was ever raised earlier. It is submitted that four out of ten witnesses have been examined.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. Learned APP has further relied upon a decision of the Hon'ble Apex Court reported in 2024 SCC Online SC 3539 (X. vs. State of Rajasthan & Anr.), wherein in paragraph No.14, Hon'ble Apex Court has observed as under:

"14. Ordinarily in serious offences like rape, murder, dacoity, etc., once the trial commences and the



prosecution starts examining its witnesses, the Court be it the Trial Court or the High Court should be loath in entertaining the bail application of the accused.”

7. Considering the aforesaid facts and circumstances of the case, since trial has commenced and petitioner is the husband of the deceased, this Court, at this stage is not inclined to grant bail to the petitioner. Prayer for grant of bail to the petitioner is hereby *rejected*.

8. The Trial Court is directed to conclude the trial preferably within a period of four months from today.

9. However, petitioner is at liberty to renew his prayer before the court below if the trial is not concluded within a period of four months from today.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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