

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.24643 of 2025**

Arising Out of PS. Case No.-93 Year-2022 Thana- MADANPUR District- Aurangabad

Ajit Bhuiyan, S/o Ramjanam Ram @ Ram Janam Bhuiyan, R/o village-  
Ganjoi, P.S.- Deo, Distt.- Aurangabad

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

For the Petitioner/s : Ms. Mukul Kumari, Advocate  
For the Opposite Party/s : Mrs. Pushpa Sinha 1, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA**  
**ORAL ORDER**

3      24-07-2025                      Heard learned counsel for the petitioner and  
  
learned Additional Public Prosecutor for the State.

2. The accused/petitioner seeks bail in connection  
with Madanpur P.S. Case No.93 of 2022 registered for the  
offence punishable under Section 304-B of the Indian Penal  
Code.

3. The accused/petitioner is named in the FIR and is  
in custody since 25.09.2024.

4. Allegation against the petitioner is to cause death  
of his wife/daughter of the informant due to non-fulfilment of  
demand of dowry as raised for one motorcycle.

5. It is submitted by learned counsel appearing for  
the petitioner that the death of wife of petitioner took place in



her parental home and, therefore, he is not under obligation to explain the circumstances regarding death of his wife in view of Section 106 of the Indian Evidence Act/Section 109 of Bhartiya Sakshya Adhiniyam (in short 'BSA'). It is submitted that investigation of this case is already completed and furthermore, charge was already framed by learned trial court and, therefore, the chances of tampering with evidence is no more there. While concluding argument, it is submitted that the petitioner is a man of clean antecedent.

6. Learned APP while opposing the prayer for grant of bail submitted that there was specific demand for dowry as raised for a motorcycle. It is submitted that for said demand, several altercation took place between petitioner and his deceased wife and ultimately she came to her parental home, where after some days, the petitioner also arrived and they were started to live together and on intervening night of 01.03.2022, the petitioner committed the murder of his wife by throttling while sleeping together and ran away. It is further submitted by learned APP that access to the room was only to petitioner, which is a strong circumstances against



him. It is pointed out that the cause of death as per postmortem report found *asphyxia* due to throttling and several tracheal bones were found fractured.

7. In view of aforesaid factual submissions and by taking note of the fact as the petitioner was the only person having access to the room being husband where present occurrence took place, coupled with the fact that the cause of death was *asphyxia* due to throttling, accordingly, the prayer of bail of petitioner is rejected herewith for the present.

8. However, the learned trial court is directed to conclude the trial in accordance with law, preferably within one year from the date of receiving of this order.

**(Chandra Shekhar Jha, J.)**

Sanjeet/-

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