

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28958 of 2025

Arising Out of PS. Case No.-60 Year-2024 Thana- BUDHUCHAK District- Bhagalpur

Amit Thakur S/O Sri Bullo Thakur @ Dullo Thakur R/O Village- Gaughatta,
P.S- Budhuchak, Dist.- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vivekanand Vivek, Advocate

For the Opposite Party/s : Mr. Nityanand Tiwary, APP

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

ORAL ORDER

4 22-09-2025 Heard Mr. Vivekanand Vivek, learned counsel
for the petitioner and Mr. Nityanand Tiwary, learned APP for the
State.

2. The petitioner seeks bail in connection with
Budhuchak P.S. Case No. 60 of 2024, instituted for the offences
punishable under Sections 80, 352, 3(5) of the Bharatiya Nyaya
Sanhita, 2023, read with Section 3/4 of Dowry Prohibition Act.

3. The prosecution case, in short, is that daughter of
the informant has been done to death by her husband and in-
laws for non-fulfillment of dowry.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. Charge-sheet has been submitted in this case.



Learned counsel for the petitioner also submits that the petitioner is husband of the deceased. No specific allegation has been attributed against the petitioner rather the same is general and omnibus in nature. It is further submitted that the deceased has committed suicide. The petitioner is in custody since 11.10.2024 and has got no criminal antecedent.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner and submits that the petitioner is named in the FIR and there is specific allegation of demand of dowry against the petitioner. There is re-statement of the informant in paragraph no. 2 of the case in which the informant has fully supported the prosecution story. It is further submitted that on perusal of paragraph 32 of the case diary, it appears that cause of death of the deceased is mentioned as asphyxia and venous congestion due to antemortem hanging. Hence, the petitioner does not deserve the privilege of bail.

6. On perusal of the report dated 22.08.2025 sent by the learned Court below, it transpires that one prosecution witness has been examined in this case and bailable warrants have been issued against rest of prosecution witnesses.

6. Considering the aforesaid facts and circumstances of the case, nature of accusation and the gravity of the offence,



this Court as also the present stage of trial, this Court is not inclined to grant bail to the petitioner.

7. The prayer is rejected. The trial Court is directed to expedite the Trial. However, if the trial is not concluded within a period of five months from the date of receipt/production, the petitioner will have liberty to renew his prayer for bail in the Court below.

(Rudra Prakash Mishra, J)

Rajorshi/-

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