

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36421 of 2025

Arising Out of PS. Case No.-14 Year-2025 Thana- UPHARA District- Aurangabad

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Pintu Chaudhary S/o- Gopal Chaudhary Village- Shankardih PS-Uphara Dist-
Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Alok Kr. Choudhary, Sr. Adv. Mr. Kulanand Jha, Adv. Mr. Rakesh Kumar Tiwary, Adv.
For the Opposite Party/s :		Mrs. Anita Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 27-11-2025 Heard the parties.

2. The petitioner seeks bail in connection with

Uphara P.S. Case No. 14 of 2025 registered for the offence

under Section 80(2), 3(5) of BNS.

3. The petitioner is named in the F.I.R. and is in

custody since 10.02.2025

4. The allegation against the petitioner is to cause

death of daughter of the informant, who is none but the

wife of the petitioner due to non fulfillment of demand of

dowry as raised for one bullet motorcycle. The family

members also alleged to involve in this occurrence.



5. Mr. Alok Kr. Choudhary, learned senior counsel appearing on behalf of the petitioner submitted that the petitioner was working outside his village and when he came to his village on leave he came to know that the deceased was in talking terms with one Aniket Kumar suspecting extra marital affairs with him. It is also submitted that this fact was also noticed by their family members and on one such occasions while she was talking with said, Aniket Kumar her mobile phone was snatched by this petitioner and she was warned as not to talk with him. It is submitted that out of said occurrence being a short tempered lady the wife of deceased committed suicide.

6. Arguing further, it is submitted that till submission of charge-sheet the cause of death could not ascertain in want of FSL report for which viscera etc. were preserved as to suggest that death was unnatural within the meaning of Section 304 B of IPC / Section 80 of BNS. In this context, it is further submitted that during *post-mortem* no external injury was noticed upon body of the deceased suggesting that she was abused physically soon



before the occurrence. It is also submitted that different prosecution witnesses stated during investigation that occurrence took place as the victim was prevented to talk with Aniket Kumar and not due to demand of dowry which was raised only after occurrence as to implicate this petitioner falsely being husband. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and moreover, investigation of this case is completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence. It is pointed out that despite of custody of about 11 months not even a single prosecution witness was examined in this matter suggesting that trial of this case is not likely to conclude in near future.

7. Learned APP opposes the prayer of bail.

8. In view of aforesaid factual submission and by taking note of fact as different witnesses during investigation suggests *prima-facie* that occurrence took place out of altercation between petitioner and his wife not negating *prima-facie* that occurrence took place due to



demand of dowry, where the death also appears *prima-facie* due to suicide, where no external injuries appears to be noticed by doctor during *post-mortem*, coupled with fact that investigation of this case already completed where petitioner remains in custody since 10.02.2025, accordingly petitioner above named, is directed to be released on bail in connection with Uphara P.S. Case No. 14 of 2025 on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned JM 1st Class, Aurangabad /concerned court, subject to the conditions as mentioned under Section 480(3) of BNSS.

(Chandra Shekhar Jha, J)

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