

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43094 of 2025

Arising Out of PS. Case No.-322 Year-2023 Thana- KUSHESHWARASTHAN District-
Darbhanga

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Nitish Ray @ Nitish Kumar @ Nitish Kumar Ray S/o Dunilal Ray R/o
Village- Sughrain, Ps- Kusheshwar Asthan, Dist- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Baidyanath Prasad, Advocate

For the Opposite Party/s : Mr. Ajay Kumar Jha, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 08-08-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Petitioner seeks regular bail in connection with
Kusheshwar Asthan (Tilkeswar O.P.) P. S. Case No. 322 of 2023
in a case registered for the offence punishable under Sections
304B, 201/34 of the Indian Penal Code.

3. It is a case of “dowry death”. The prosecution case,
in brief, is that marriage of daughter of informant was
solemnized with this petitioner and thereafter, it is alleged that
all the F.I.R. named accused persons, including this petitioner,
started demanding dowry and due to non-fulfillment of the
same, daughter of informant was tortured and harassed. It is



alleged that on 24.09.2023 when informant called her daughter, her phone was switched off and when informant reached the matrimonial house of her daughter she got to know that her daughter is traceless. On search, informant got information that a dead body is lying near Futiya Swis Gate near Kamla River and when informant reached there, she identified that the dead body is of her daughter. Informant alleges that all the accused persons, including this petitioner, killed her daughter and threw her body in river.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. Petitioner is husband of the deceased and he never demanded any dowry nor harassed the deceased. As a matter of fact, deceased herself committed suicide due to petty dispute. Petitioner is in custody since 07.05.2025.

5. However, learned A.P.P. for the State vehemently opposed the bail application and submitted that petitioner is none other than husband of the deceased and daughter of the informant died within seven years of marriage and her dead body was found in river.

6. Considering the aforesaid facts and circumstances



of the case, prayer for bail of the petitioner is refused.

(Prabhat Kumar Singh, J)

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