

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46185 of 2025

Arising Out of PS. Case No.-152 Year-2025 Thana- GAYA MUFASIL District- Gaya

Shekhar Kumar, Son of Manoj Rajak, Village- Kujapi, P.S.- Chandauti, Dist-
Gaya P/A- Makhlaot Ganj, P.S.- Gaya Kotwali, Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rabindra Kumar, Advocate

For the Opposite Party/s : Mr. Umanath Mishra, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

4 15-10-2025 Heard Mr. Rabindra Kumar, learned counsel

appearing for the petitioner and Mr. Umanath Mishra, learned

APP for the State.

2. Petitioner seeks regular bail in connection with
Gaya Mufassil P.S. Case No. 152 of 2025 dated 20.02.2025
registered for the offences punishable under Section 80 of
Bharatiya Nayaya Sanhita and Sections 3 and 4 of the Dowry
Prohibition Act.

3. As per the prosecution story, on 20.02.2025 at
about 1:30 AM the informant's son received a call from the
husband of the deceased informing him about her death. It is
alleged that informant's daughter was married to the accused
petitioner two years ago and after marriage, the petitioner
started demanding the dowry and on account of non-fulfillment



of the said demand, the deceased was subjected to cruelty and harassment, which ultimately led to her death.

4. The main submissions advanced by the petitioner's counsel are that, admittedly, there was a love marriage between the petitioner and the deceased, so there was no occasion for the petitioner to make a demand for money from the deceased or her parental family members, in fact, on the alleged day, the deceased suffered from diarrhea, and at that time, the petitioner was not in the house and when he returned to his rented house, he found his wife suffering from diarrhea and then took her to the doctor for treatment, but she died on the way to the hospital. Thereafter, the victim's dead body was cremated in the presence of her parental family members, with their consent.

5. Learned APP for the State has opposed the prayer for bail of the petitioner and submits that against this petitioner, there is serious allegation and the victim was killed within two years of her marriage.

6. Considering the seriousness of the allegation appearing against this petitioner, which relates to dowry death, and as per the allegation, the deceased died in an unnatural manner, and the informant alleged that the petitioner used to demand money from the deceased, and to fulfill his demand, on



two occasions, Rs. 50,000/- and Rs. 70,000/- were transferred through mobile transactions to the informant’ daughter by the son of the informant namely, Vikash sinha and in this regard, the statements of the witnesses from the parental family of the deceased, as mentioned in the case diary, are relevant and also, taking into account the fact that the deceased was cremated in a hurried manner by the petitioner without getting the dead body’s postmortem examination, in my opinion, it is not a fit case for bail to the petitioner. Accordingly, the petitioner’s prayer for bail stands rejected.

(Shailendra Singh, J)

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