

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56555 of 2025

Arising Out of PS. Case No.-1043 Year-2024 Thana- KANKARBAG District- Patna

Abhishek Barnawal @ Sonu Kumar Barnwal S/o Om Prakash Agrawal @ Om Praakash Barnwal R/o 119 SBI Colony, Near Harilal, Gayatri Mandir, P.O. Lohia Nagar, P.S. Kankarbagh, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Teerthankar, Adv

For the Opposite Party/s : Ms. Pushpa Sinha 1, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 26-09-2025 Heard learned counsel appearing on behalf of the petitioner and learned APP appearing on behalf of the State.

2. The petitioner seeks bail in connection with Kankarbagh P.S. Case No. 1043 of 2024 registered for the offences under Sections 80, 85 and 3(5) of the Bharatiya Nyaya Sanhita.

3. The petitioner is named in the F.I.R. and is in custody since 21.01.2025.

4. The allegation against the petitioner is to cause death of daughter of informant along with other co-accused persons/family members due to non-fulfillment of demand of dowry as raised for cash of Rs. 5 Lakhs for purchasing car. It is claimed that out of aforesaid demand Rs. 2 Lakh was paid by informant four months prior to the occurrence. Petitioner is the husband of deceased.

5. Learned counsel appearing on behalf of the petitioner



submitted that daughter of informant was a short tempered lady and was in habit of spending her maximum time with mobile. It is submitted that when mobile was checked by the petitioner being a short tempered lady she committed suicide. It is submitted that to aggravate the allegation, demand of dowry was raised in very general and omnibus manner against petitioner and other family members. It is submitted that immediately after occurrence matter was informed to brother of deceased by brother of this petitioner. Arguing, further it is pointed out by learned counsel that no injury was noticed upon deceased while conducting post-mortem by doctor, which suggest prima-facie that she was not assaulted physically soon before the occurrence. It is submitted that except ligature mark on the neck no other injury was noticed upon deceased wife of the petitioner.

6. It is submitted that father of petitioner detected for last stage of cancer and his mother is an old and sick lady. It is also pointed out that daughter of informant being deceased wife of petitioner forced her husband to make separate arrangement for living which was also one of the reason for differences between the deceased and petitioner, which triggered temperament of deceased to commit suicide. It is also pointed out that even after conducting post-mortem doctor failed to find out the actual cause of death and, therefore, in absence of any reason *qua* death it is difficult to say that it was “unnatural death” to implicate petitioner under Section 304-B of the IPC. While concluding the argument it is submitted that, petitioner is a man of clean antecedent



and moreover, investigation of this case has already completed, and as such, there is no chance of tampering with the evidence.

7. Learned APP appearing on behalf of the State, while opposing the prayer for bail submitted that petitioner is the husband and raised demand of dowry.

8. In view of aforesaid factual submission and by taking note of fact as cause of death could not ascertained through post-mortem report, which prima-facie failed to suggest that death was “unnatural”, coupled with the fact as allegation to raise demand of dowry prima-facie appears general and omnibus *qua* petitioner, where petitioner remains in custody since 21.01.2025, accordingly above named petitioner, is directed to be released on bail in connection with Kankarbagh P.S. Case No. 1043 of 2024 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-XI, Patna/concerned court, subject to the conditions as mentioned under Section 480(3) of the B.N.S.S.

(Chandra Shekhar Jha, J.)

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