

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57429 of 2025

Arising Out of PS. Case No.-42 Year-2024 Thana- Pastpar Pusthi District- Saharsa

Deepak Kumar Sah @ Deepak Kumar S/o Tapesah Sah R/o - Pastpar, Ward No 11, Pastpar, District -Saharsa, Bihar - 852107

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rambilash Sah S/o Late Pulkit Sah R/o Village - Amrita Ward No. - 3, P.S - Sonbarsha Raj, District - Saharsa

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar, Adv.

For the Opposite Party/s : Mr.Abhay Kumar Roy, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 07-10-2025 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Pastpar P.S. Case No. 42 of 2024 (S.T. No. 156 of 2025) instituted for the offences under Sections 80, 3(5) of the Bhartiya Nyaya Sanhita, 2023.

3. As per prosecution case, the accusation against the accused persons including the petitioner is of causing death of the deceased on account of non-fulfillment of dowry demand.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case.



The petitioner is the husband of the deceased. There is no specific or direct allegation of any overt act against the petitioner rather the same is general and omnibus in nature. There is no eye-witness to the alleged occurrence. He further submits that actually the deceased was sick and was taken to Madhepura Hospital for her treatment. It is further submitted that the doctor who conducted the postmortem of the deceased has not been able to ascertain the cause of death of the deceased. The petitioner has no concern with the alleged occurrence. The petitioner has one criminal antecedent and is languishing in judicial custody since 13.02.2025 without any rhymes or reason.

5. Learned counsel for the petitioner has filed supplementary affidavit, stating therein that three witnesses have been examined before the learned trial court who are brother-in-law, mother and the father of the deceased respectively and have not supported the prosecution case.

6. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner, stating that the petitioner is the husband of the deceased.

7. Having heard learned counsel for the parties and keeping in view the nature and gravity of the offence, the petitioner being husband of the deceased as also taking into



account the fact that the trial is already in progress, this Court is not inclined to grant bail to the petitioner.

9. Accordingly, the prayer for bail of the petitioner, above named, is rejected with a direction to the court below to expedite the trial and conclude the same expeditiously preferably within a period of two months from today. If the trial is not concluded within the period of two months as stated above, the petitioner will be at liberty to renew his prayer for bail before the court below.

(Rudra Prakash Mishra, J)

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