

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.583 of 2026

Arising Out of PS. Case No.-576 Year-2025 Thana- SIKARPUR District- West Champaran

Amit Kumar S/o Vaidhanath Sah Resident of Village- Shantibag, Pandey Tola,
P.S.- Shikarpur, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate

For the Opposite Party/s : Ms. Anita Kumari, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 20-04-2026 1. Heard learned counsel for the petitioner and learned A.P.P. for the State.
2. The petitioner seeks bail in a case registered for the offences punishable under Section 80(2) of the B.N.S. but the chargesheet has been submitted u/s 80(2 & 3(5) of the B.N.S.
3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and is in custody since 11.06.2025 and the informant alleges that her daughter was married to the petitioner on 30.04.2025, after marriage, the accused persons were demanding Rs. 50,000/- and on non-fulfillment of demand, the victim was tortured, further the victim disclosed about the demand and torture to the informant, it is next alleged that on 10.06.2025, the informant received an information that the victim was killed, accordingly, the informant reached the place of occurrence and found the dead body of her daughter with mark of injuries on neck, thigh and



back.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner being husband has been falsely implicated in the instant case by the informant. It is also submitted that from perusal of the allegation as alleged in the FIR, it would manifest that the allegation of demand of dowry is general and omnibus in nature. It is further submitted that the informant is not an eyewitness to the occurrence and the entire allegation hinges around suspicion, it is further submitted that no doubt, the victim died within seven years of marriage and presumption in law is against the husband and his family members, but then, all deaths within seven years of marriage is not dowry death. It is also submitted that whenever any dispute arises in between the husband and the wife and the occurrence of the nature as alleged takes place, the entire family members including husband are implicated in a mechanical manner with general and omnibus allegation. It is further submitted that from perusal of the order impugned it would manifest that the cause of death was asphyxia on account of hanging. It is next submitted that had the petitioner being involved in the occurrence of killing the deceased in that event efforts would have been made to dispose of the dead body with a view to



conceal evidence but then dead body was sent for postmortem based on which the postmortem of the deceased was carried out.

5. Learned A.P.P. for the State opposes the prayer for regular bail application of the petitioner, it is submitted what is not in dispute rather is admitted is that victim died within a very short span of time after marriage and the presumption in law is against the husband and his family members. It is fairly submitted that no doubt the order impugned record that the cause of death is asphyxia on account of hanging and thus it might be a possibility that the victim committed suicide but then what is not disputed is that victim ended her life and thus presumption against the petitioner is that being husband he created condition conducive for the victim to take the extreme step for ending her life.

6. After hearing the learned counsel for the parties, the Court is in agreement to the submission made by the learned APP, the Court is not inclined to release the petitioner on bail.

7. The regular bail application of the petitioner is rejected.

(Satyavrat Verma, J)

Ranjeet/-

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