

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3306 of 2026

Arising Out of PS. Case No.-289 Year-2025 Thana- CHHATAPUR District- Supaul

Mantu Kumar Mishra @ Mantu Kumar S/O Manoj Kumar Mishra R/O
Village- Jhakhargarh, Ward No. 07, P.S.- Chhatapur, Distt.- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Jitendra Nr. Singh, Advocate
		Ms. Nidhi, Advocate
For the State	:	Mr. Rajendra Prasad Nat, APP
For the Informant	:	Mr. Harsh Kaushal, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 13-03-2026 Heard learned counsel appearing on behalf of the petitioner, learned APP appearing on behalf of the State and learned counsel appearing on behalf of the informant.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 85, 80, 92 and 3(5) of the B.N.S. and Sections 3 and 4 of the Dowry Prohibition Act.

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 on 11.02.2022. It is alleged that after marriage, all the named accused persons, including this petitioner, started demanding additional dowry and due to non-fulfillment of demand of additional dowry, daughter of



informant was subjected to cruelty and harassment. It is further alleged that on 19.09.2025, elder son of informant received a call from this petitioner and it was informed that the victim was admitted for delivery and the doctor has referred her outside the village. When the son and wife of informant visited the hospital, they found the dead body of the victim lying in a tempo and none of the accused persons were present there. Informant alleges that all the accused persons, including this petitioner, did not provide appropriate medical treatment and thereafter, the victim and her unborn child died.

4. It is submitted by learned counsel appearing on behalf of the petitioner that petitioner is quite innocent and has committed no offence. Petitioner has falsely been implicated in this case only because he happens to be husband of the deceased. There is absolutely no negligence on the part of petitioner. The medical history confirms that the couple's first child was born in Susheela Hospital through C-section and petitioner was fully taking care and providing adequate treatment to his wife for the second delivery as well. From bare perusal of the *post mortem* report it is apparent that the deceased died due to haemorrhage resulting from a complete rupture of uterus and not due to intentional neglect of this petitioner.



Moreover, petitioner is a government servant and at the time of death of his wife, he was on his official duties at Basantpur and was not present at the village where the death occurred. Petitioner claims clean antecedents.

5. Learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

6. Considering the facts and circumstances of the case, general and omnibus nature of accusation, materials available on record and clean antecedents of the petitioner, the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned J.M.-I, Supaul in connection with Chhatapur P.S. Case No. 289 of 2025, subject to condition as laid down under Section 482(2) of the B.N.S.S..

(Prabhat Kumar Singh, J)

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