

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4969 of 2026

Arising Out of PS. Case No.-224 Year-2025 Thana- PARSABAZAR District- Patna

Prabhat Kumar Son of Satyendra Prasad Resident Of Village - Dhobi Kurna,
P.S. - Dhobi, District - Gaya. At Present Yadav Chak, (Parsa Bazar),P.S-
Parsa Bazar , District -Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kant, Adv.

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

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

4 01-04-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Parsa Bazar P.S. Case No. 224 of 2025 registered for the offences punishable under Sections 103, 61(2) and 3(5) of the BNS and Section 3 and 4 of Domestic Violence Act.

3. It is the case of the prosecution that the deceased, Kanak Priya, daughter of the informant, was married to accused Prabhat Kumar (petitioner) on 07.05.2020. After marriage, she was residing with her husband at his matrimonial home. It is further alleged that soon after the marriage, the accused Prabhat Kumar, along with his family members, namely Pankaj Kumar



(brother), Sushma Devi (wife of Pankaj Kumar), and Om Prakash (younger brother), subjected the deceased to physical and mental cruelty. The accused persons allegedly assaulted her on various occasions and extended threats to her life. On 31.05.2025, at about 7:00 AM, the informant received a phone call from her daughter Kanak Priya, during the conversation, the informant sensed distress in her voice, giving rise to suspicion. Subsequently, at around 8:00 AM, the informant received another call from her son-in-law, accused Prabhat Kumar, informing her that her daughter had been admitted to the ICU and her condition was critical. This information appeared suspicious to the informant, as she had talked with her daughter barely an hour earlier. The informant immediately rushed to Patna. Upon arrival, she discovered that her daughter had already been declared dead and had been taken to the hospital under suspicious circumstances. It is alleged that the accused persons attempted to portray the death as natural by taking the deceased to the hospital after committing the crime.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case by the informant. The deceased died by hanging herself and it is a case of suicide but the petitioner along with his brother



have falsely been made accused in this case. Petitioner is in custody since 01.06.2025 and a statement has been made in para 3 of the bail application that petitioner has clean antecedent.

5. Learned A.P.P. appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner.

6. In the F.I.R., it is alleged by the informant (mother of the deceased) that she was telephonically informed by petitioner (son-in-law) that her daughter namely, Kanak Priya is admitted in ICU while just one hour before informant had talked with her daughter. She has further alleged in the F.I.R. that so many times petitioner had assaulted her daughter and also threatened her to kill and when she reached Patna, she found her daughter dead. It is also alleged that her daughter was killed by petitioner in her matrimonial house itself.

7. In para nos.14, 16 and 17 of the case diary, the witnesses have supported the allegations levelled against the petitioner and also stated that have seen the ante-mortem injury of assault upon the deceased and from perusal of the post-mortem report, it appears that the cause of death has been opined as 'Asphyxia due to ante-mortem ligature of neck and its complication due to ante-mortem hanging however viscera has been preserved to rule out any intoxication prior to death.



8. There are specific and direct allegations against the petitioner that he, along with other co-accused persons, committed the murder of the deceased in furtherance of a criminal conspiracy and attempted to misled the prosecution/informant by taking the victim to the hospital to show the cause of death due to disease.

9. Considering the nature and gravity of the accusation, the manner in which the offence is alleged to have been committed, the specific role attributed to the petitioner, and the fact that the deceased was the wife of the petitioner and died within the matrimonial home under suspicious circumstances, this Court is not inclined to grant bail to the petitioner at this stage. Accordingly, his prayer for regular bail stands rejected.

(S. B. Pd. Singh, J)

Ankit Kumar/-

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