

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14984 of 2026

Arising Out of PS. Case No.-139 Year-2025 Thana- TAJPUR District- Samastipur

Uday Kumar Rai S/o Late Satya Narayan Rai R/o Village - Harpur Bhindi,
P.S - Tajpur, District - Samastipur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar, Advocate

For the Opposite Party/s : Mr. Nagendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ANSUL
ORAL ORDER

5 27-05-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks regular bail in connection with
Tajpur P.S. Case No. 139 of 2025, registered under Sections
103(1) and 3(5) of the B.N.S.

3. As per the prosecution case, the petitioner is the
husband of the deceased. Initially, the FIR was lodged with the
allegation that while his daughter was sleeping on the roof of
the house, her husband was stabbed. The FIR records that the
son-in-law, namely, Uday Rai, had come down at 11 P.M.
Specific allegations have been levelled against four persons. The
petitioner has no criminal antecedent and has been in custody
since 04.09.2025.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the



present case. It is further submitted that the petitioner is not referred to in the accused column of the FIR, has no criminal antecedent, and has been in custody since 04.09.2025.

5. Learned APP for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considered. Though the petitioner is not named in the accused column of the FIR, the undisputed fact remains that he is the husband of the deceased and was present in the matrimonial home at the relevant time. As the husband, the petitioner was best placed, and indeed was under a duty, to account for the circumstances attending his wife's death and to ensure her safety and well-being. The burden of explaining what transpired, in these circumstances, rests primarily upon him by virtue of the principle embodied in Section 111 of the Bharatiya Sakshya Adhiniyam, 2023, which provides that where any fact is especially within the knowledge of a person, the burden of proving that fact is upon him. At this stage, and on the material placed before this Court, this Court is not inclined to grant bail to the petitioner. The bail application is accordingly dismissed.

7. If the trial is delayed by the prosecution, the petitioner may renew his prayer for bail after six months.

8. It is made clear that any observation made herein is



prima facie in nature and limited solely for the purpose of adjudication of the present bail application. Such observations shall not be construed as an expression on the merits of the case and shall not influence the trial or any other proceedings in any manner.

(Ansul, J)

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