

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14838 of 2026

Arising Out of PS. Case No.-343 Year-2025 Thana- PAKRIDAYAL District- East Champaran

Prabhakar Kumar S/o Shatrudhan Sah Resident of Village- Majhauriya, PS-
Pakaridayal, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 20-04-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 126 (2), 115 (2), 80, 352, 351 (2) and 3 (5) of the BNS.

3. The case of the prosecution is that one Nitu Kumari (deceased) was married to the petitioner eight months ago. It is further alleged that after sometime of the marriage, he was subjected to cruelty on account of non-fulfillment of the demand for a motorcycle as dowry. On 21.07.2025 at about 1:30 A.M., the in-laws of the deceased informed that deceased had fallen from the bed and sustained serious head injuries. When the informant reached the matrimonial house, she found the dead body of the deceased lying outside of the house.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in connection with the present case. It is further submitted that the nature of allegation is general and omnibus and from perusal of the post-mortem report, it will transpire that the doctor conducting the autopsy of the deceased did not find any ante-mortem injury on the body. Forth mixed with blood coming out from both nostrils was recorded as on external examination. The cause of death could not be ascertained and the viscera was preserved for chemical examination. It is further submitted that in fact the deceased did not like the petitioner and had herself committed suicide. Moreover, the petitioner is languishing in judicial custody since 04.08.2025 having no criminal antecedent.

5. Learned APP appearing for the state has opposed the prayer of regular bail stating that during the course of investigation local villagers have given their statement before the police and has stated that the petitioner used to assault the deceased after intoxication and the story that the deceased does not like the petitioner is falsified by the statements of the local villagers. It is further submitted that the death is otherwise, the same is not natural. From perusal of the FIR, it is clear that the



informant was informed that the deceased had fallen from the bed but no injury in any part of the body was found. The petitioner being the husband, it is the incumbent upon him to explain the circumstances under which the deceased died. The FSL with respect to the viscera is still awaited.

6. Considering the aforesaid facts and circumstances of the case, this court is not inclined to enlarge the petitioner on bail which is accordingly rejected. However, he may renew his prayer for bail after the Forensic Science Laboratory Report (FSL) is received in the trial Court.

(Ashok Kumar Pandey, J)

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