

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14999 of 2026

Arising Out of PS. Case No.-252 Year-2025 Thana- PARAIYA District- Gaya

Sambhu Yadav @ Sambhu Kumar S/o Kailash Yadav R/o Village - Maranchi,
Jhakadbigha @ Jhagra Bigha, P.s. -Paraiya, District -Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Durgesh Nandan

For the Opposite Party/s : Mr. Umanath Mishra

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 3 01-05-2026 1. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Paraiya Police Station Case No. 252 of 2025, dated 24.07.2025, disclosing offences under Sections 123/80/3(5) of the Bhartiya Nyaya Sanhita and Sections 3 and 4 of the Dowry Prohibition Act.
3. That the prosecution case, on the basis of fardbeyan, is that the informant's daughter Anjali Kumari (deceased) was married to the petitioner in the year 2023 and at the time of marriage cash worth of Rs. 3,00,000/-, a motorcycle and other household articles were given as gifts. After a few days of marriage, the petitioner and his family members began demanding Rs. 2,00,000/- and other articles as dowry and due to non-fulfillment of



demand of dowry she informant's daughter was subjected to cruelty. It has further been alleged that on 05.07.2025, the deceased was forcibly administered poison by the accused persons, who took her to Magadh Medical Hospital, Gaya, where she was declared dead.

4. Learned senior counsel for the petitioner submits that the deceased was a short tempered lady and due to dispute with her gotani and out of anger she herself has consumed poison, when the accused persons saw her vomiting, the deceased was rushed to the hospital where she died. The petitioner, being the husband and father of one year old child, made efforts to save deceased's life, but failed. The allegation against the petitioner is general and omnibus in nature. Learned counsel, referring to paragraph no. 9 of the case diary, submits that the deceased used to collect milk from Kuleshwari Devi, who has stated that, on the date of occurrence, like every day, the deceased came to collect milk and was found vomiting, upon being asked, the deceased stated that she had consumed poison.
5. I have heard learned counsel for the parties and have perused the materials available on record.
6. From perusal of the impugned order, it appears that



within two years of marriage the deceased died in her matrimonial home. There is allegation of demand of dowry and torture and just prior to the death of the deceased on 05.07.2025 the deceased was tortured and assaulted, which was informed by the deceased to her mother. The nature of the death is not important whether it is homicidal, suicidal or accidental, but the fact is that deceased died an unnatural death within two years of her marriage in her matrimonial home. There is presumption against the petitioner under Section 117 and 118 of the Bharatiya Sakshya Adhiniyam, 2023. The petitioner is husband of the deceased and allegation is of dowry death.

7. Considering the aforesaid and nature of allegation, I am not inclined to grant the petitioner the privilege of anticipatory bail.
8. This bail application is, accordingly, dismissed.

(Anil Kumar Sinha, J)

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