

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17369 of 2026

Arising Out of PS. Case No.-306 Year-2025 Thana- BARARI District- Katihar

Md. Istiyak @ Istiyak, S/o Md. Hasan @ Hasan Ali, Resident of Village-
Tiktikipara, PS- Barari, Dist- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhola Prasad, Advocate

For the Opposite Party/s : Mr.Binod Kumar No.3, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 06-05-2026 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), 118(2), 117(2), 109, 85, 352, 351(2) and 3(5) of the B.N.S. and Sections ¾ of D.P. Act and later on, Section 103(1) of B.N.S. has been added.

3. The case of the prosecution, in short, is that the daughter of the informant was married to the petitioner. She was subjected to cruelty on account of non-fulfillment of dowry demand and it is alleged that she was killed by all the in-laws. On this information, as the informant arrived at the matrimonial house of the deceased, he came to know that the deceased has been rushed to Medical College, Katihar.



4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this case. Learned counsel for the petitioner has submitted that actually the deceased has committed suicide by hanging and she was rushed to hospital. In this regard, the medical document concerning the treatment of the deceased was called for from the Medical College, Katihar which goes to show that tracheotomy was done on the person of the deceased. It has further been submitted that from perusal of the postmortem report also it is clear that the cause of death is Hypoxic Ischaemic Encephalopathy and its associated complications as a result of hanging. It has further been submitted that the deceased died after two months of the date of hanging. The petitioner and all in-laws have taken all steps to save her life but she could not be saved. It has further been submitted that after perusal of the entire record, it is clear that tracheotomy was done and the hole was the result of that tracheotomy. Petitioner is having no criminal antecedent and he is languishing in judicial custody since 01.10.2025

5. Learned APP appearing for the State has vehemently opposed the application for bail and has submitted



that from perusal of the postmortem report, it transpires that a hole was found on the neck of the deceased.

6. Having heard learned counsel for the parties and considering the above facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Katihar in connection with Barari P.S. Case No. 306 of 2025.

(Ashok Kumar Pandey, J)

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