

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15980 of 2026

Arising Out of PS. Case No.-237 Year-2024 Thana- KOCHADHAMAN District- Kishanganj

Abu Nasar S/o- Md. Mainuddin @ Mainuddin R/v- Mohra Hat P.S-
Kochadhaman District- Kishanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

4 23-06-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection with Kochadhaman P.S. Case No. 237 of 2024 registered for the offence punishable under Section 80(2) of B.N.S.

3. The case of the prosecution 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. It is further alleged that the petitioner has assaulted badly to the deceased due to which she died.

4. It is submitted by learned counsel for the petitioner that petitioner is innocent and has committed no offence. He has been falsely implicated in the present case. Leaned counsel for the petitioner has submitted that it is a matrimonial dispute and there



was scuffle between the deceased and the petitioner. The act was not intentional. Petitioner is having no criminal antecedent and he is languishing in judicial custody since 31.10.2024.

5. Learned APP appearing for the state has opposed the prayer of regular bail and has submitted that from perusal of the postmortem report it will transpire that the doctor conducting the postmortem of the deceased has found following ante-mortem injuries:-(i) Contusion over maxilla on both side of size 3cm x 2cm, (2) Swelling of right eye, (3) Multiple contusions on undersurface of both lips, (4) Old healed wound scar over right thumb and (5) Surgical scar over lower abdomen. The doctor conducting autopsy of the deceased has opined that the cause of death was due to asphyxia and shock as a result of smothering. It has further been submitted that petitioner is the husband of the deceased and there is direct allegation against him that he has assaulted the deceased.

6. The report from the learned trial Court was called regarding the present stage of trial. From perusal of the report of the learned trial Court, it is clear that in this case, charges has been framed and summons have been issued to the witnesses but till today, no witness has been examined.

7. Having heard the learned counsel for the parties and considering the nature of allegation, this court is not inclined to



enlarge the petitioner on bail at this stage and, as such, his prayer for bail stands rejected.

8. However, petitioner may renew his prayer for bail after six months if the trial is not concluded.

9. Learned trial Court is directed to expedite the trial and conduct the calendar trial of this case.

(Ashok Kumar Pandey, J)

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