

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22964 of 2026

Arising Out of PS. Case No.-566 Year-2023 Thana- FATEHPUR District- Gaya

Rahul Kumar S/o Lalan Yadav @ Lalan Prasad R/o Village - Manik Bigha,
P.S - Fatehpur, District - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur, Adv. Mr. Purushottam Kumar, Adv.
For the Opposite Party/s	:	Mr. Uday Pratap Singh, APP
For the Informant	:	Mr. Ujjawal Kumar Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 12-05-2026 1. Heard learned counsel for the petitioner Mr. Ajay Thakur, learned Additional Public Prosecutor for the State and the learned counsel appearing on behalf of the informant.
2. The petitioner seeks bail in connection with Fathehpur P.S. Case No. 566 of 2023 dated 25.07.2023 registered for the offences punishable u/s 304(B), 34 of the Indian Penal Code.
3. Learned counsel for the petitioner submits that petitioner is in custody since 16.01.2026 and is a person with clean antecedent and the informant alleges that her daughter was married to the petitioner in February, 2023, further after marriage, the accused persons including the petitioner started demanding Rs. 5 lakhs and on account of non-fulfillment of the



demand, the victim was assaulted and tortured, next alleges that his daughter called on 23.07.2023 and informed that accused are assaulting her, further on 24.07.2023, she received an information from the villagers that her daughter has been killed for non-fulfillment of dowry demand, accordingly the informant reached the place of occurrence and saw the dead body of the victim lying with black mark on face and lip, thus alleges that accused killed the victim for dowry.

4. Learned counsel for the petitioner submits that petitioner being husband has been falsely implicated in the instant case by the informant. It is next submitted that from perusal of the allegation, as alleged in the FIR, it would manifest that allegation of demand of dowry and torture is general and omnibus in nature. It is further submitted that the FIR was instituted on 25.07.2023 at 9.10 P.M. while the inquest of the deceased was prepared on 24.07.2023 at 7.11 A.M. and husband of the informant and his brother were inquest witnesses but then on 24.07.2023 no information was given to the police alleging that his daughter was killed by the accused persons including the petitioner for non-fulfillment of demand of dowry. It is also submitted that from perusal of Annexure-3 to the bail application, it would manifest that the same is postmortem



report and the same does not record any external injury and the cause of death is opined as asphyxia on account of hanging. It is also submitted that informant is not an eyewitness to the occurrence and the entire allegation hinges around suspicion. It is further submitted that the victim committed suicide.

5. Learned A.P.P. for the State vehemently opposes the regular bail application of the petitioner and submits that what is not in dispute rather stands admitted is that victim was married to the petitioner in February, 2023 and the instant FIR came to be instituted on 25.07.2023 i.e. within five months of marriage. It is thus submitted that in law also, presumption is against the husband and his family members. It is further submitted that no doubt allegation of demand of dowry and torture may not be specific but then allegation is alleged that accused persons were demanding Rs.5 lakhs and on account of non-fulfillment of the demand, the victim was tortured. It is also submitted that even presuming what has been submitted based on inquest report to be true that husband of the informant and his brother were inquest witnesses but then that in itself does not demolish the case of the prosecution, if there was some delay in instituting the FIR. It is fairly submitted that postmortem report even records the cause of death as asphyxia on account of hanging



but then it is submitted that it is the husband who has responsibility towards his wife and the husband has to ensure the well-being of his wife but even presuming that victim committed suicide then it was husband who created condition conducive for the victim to take the extreme step of ending her life.

6. Considering the submissions made on behalf of the learned APP, the Court is not inclined to release the petitioner on bail.

7. The regular bail application of the petitioner is rejected.

(Satyavrat Verma, J)

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