

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27947 of 2026

Arising Out of PS. Case No.-216 Year-2025 Thana- AKBARPUR District- Nawada

Chandan Kumar S/o Shankar Mistri R/o vill - Patrangnala, P.S.- Akbarpur,
Distt.- Nawada

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md Ejaz Akhtar

For the Opposite Party/s : Mr.Chandra Bhushan Prasad

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 14-05-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. Learned counsel for the petitioner submits that the petitioner is a person of clean antecedent and is in custody since 13.05.2025. It is next submitted that the informant alleges that his daughter was married to the petitioner in the year 2019 and out of the wedlock, a daughter and a son were born and after the birth of the second child, the petitioner used to assault and torture the victim and threatened that he will perform his second marriage. Further on 27.04.2025 at about 12:30 A.M., the accused persons including the petitioner burnt the victim by sprinkling petrol, it is next alleged that on 28.04.2025 at 10:00 A.M. petitioner made a video call to the informant and showed the victim and thereafter when the informant tried calling him



back, petitioner did not pickup the phone, accordingly, the informant along with his family members came to the matrimonial house of the victim where the children disclosed that the victim was admitted at Pawapuri Hospital, accordingly, the informant along with his family members went to the Hospital at Pawapuri, from where, the doctors referred the victim to PMCH and the victim during the course of treatment at PMCH, died.

3.The learned counsel appearing on behalf of the petitioner submits that petitioner being husband has been falsely implicated in the instant case by the informant being husband of the deceased. It is also submitted therefrom perusal of the allegation that the alleged in the FIR it would manifest that informant himself alleges that the victim was admitted in a hospital at Pawapuri from where she was referred to PMCH and during the course of treatment, she died and thereafter the dead body was cremated. It is next submitted that the instant FIR came to be instituted after the dead body was cremated which casts an aspersion on the case of the prosecution that the instant FIR was instituted by way of an afterthought. It is also submitted that deceased was married to the petitioner in the year 2019 and out of the wedlock, two children were born and the



FIR came to be instituted in the year 2025 but then in these six years neither the informant nor the victim ever made any complaint or instituted a case alleging harassment.

4. Learned APP Mr. Chandrabhushan Prasad opposes the regular bail application and submits that what is not in dispute rather stands admitted is that the victim died within seven years of marriage and the presumption in law is against the husband and his family members. It is also submitted that no doubt, the FIR came to be instituted after the cremation of the dead body but then the postmortem of the dead body was already carried out, as such, no useful purpose would have been served by keeping the dead body. It is next submitted that cause of death also has been opined to be on account of burn injuries. It is next submitted that informant is not an eye witness to the occurrence but then as submitted the victim died of burn injuries within seven years of marriage. It is further submitted even presuming that victim committed suicide but then who is responsible for the same, obviously the husband who has the responsibility to ensure well-being of his wife. It is next submitted that informant has not tried to falsely implicate the petitioner and his family members by alleging falsely as the dowry was being demanded, as from perusal of the allegation, it would manifest that no



allegation of demand of dowry is alleged, it is submitted that husband created condition conducive for the victim to take the extreme step of ending her life.

5. After hearing learned counsel for the parties, the Court agrees with the submission of the learned APP and hence is not inclined to release the petitioner on bail in connection with Akbarpur P.S. Case No. 216 of 2025 pending in the Court of learned Chief Judicial Magistrate, Nawada.

6. Hence, the prayer for bail is rejected.

(Satyavrat Verma, J)

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