

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26027 of 2026

Arising Out of PS. Case No.-254 Year-2025 Thana- BARARI District- Bhagalpur

Vijay Kumar @ Vijay Kumar Jamadar S/O Late Gangaram @ Gangaram
Jamadar Resident Of Village- Makbra Chhoti Khanjarpur ,P/s - Barari
District- Bhagalpur

... .. Petitioner/s

Versus

The state of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. N.K. Agrawal, Sr. Adv.
Mr. Md. Najmul Hodda, Adv.
For the Opposite Party/s : Mr. Nagendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 13-05-2026 1. Heard learned Senior counsel for the petitioner and
learned A.P.P. for the State.
2. The petitioner seeks bail in connection with Barari
P.S. Case No. 254 of 2025, registered for the offences
punishable under Sections 80, 61(2) and 3(5) of the Bharatiya
Nyaya Sanhita.
3. Learned Senior counsel for the petitioner submits
that petitioner is a person with clean antecedent and is in
custody since 25.09.2025 and the informant alleges that his
daughter was married to the petitioner in the year 2018, on
23.09.2025 at about 07:35 P.M., he got an information,
accordingly, he reached the place of occurrence and found the
dead body of his daughter lying on the ground, thus, alleges that



his daughter was killed.

4. Learned Senior counsel for the petitioner submits that petitioner being husband has been falsely implicated in the instant case by the informant. It is further submitted that from perusal of the allegation as alleged in the FIR, it would manifest that informant is not an eyewitness to the occurrence and the entire allegation hinges around suspicion. It is also submitted that there is no allegation of demand of dowry and the victim was married to the petitioner in the year 2018 and the FIR came to be instituted on 24.09.2025 i.e. when seven years was nearing completion. It is further submitted that no doubt the victim died within seven years of marriage which was nearing to an end but then all deaths are not dowry death. It is reiterated and submitted that if petitioner would have been demanding dowry in that event either the informant or the victim would have instituted a case alleging torture for non-fulfillment of demand of dowry. It is also submitted that out of the wedlock, two children were born. It is next submitted that whenever any dispute arises in between the husband and the wife and the occurrence of the nature as alleged takes place, the husband is implicated in a mechanical manner with general and omnibus allegation.



5. Learned A.P.P. for the State opposes the regular bail application of the petitioner and submits that what is not in dispute rather stands admitted is that the daughter of the informant who was married to the petitioner died at her matrimonial home. It is next submitted that from perusal of the allegation as alleged in the FIR, it would manifest that informant has not tried to falsely implicate the petitioner and his family members alleging that dowry was being demanded and on account of non-fulfillment of the demand, the victim was killed rather has alleged that he received an information that his daughter died and accordingly he reached the place of occurrence and saw the dead body lying. It is further submitted that from perusal of the order impugned, it would manifest that the same records the cause of death as asphyxia and shock due to antemortem hanging, on which, the learned Senior counsel appearing on behalf of the petitioner submits that antemortem hanging means- *hanging that occurred while the person was still alive, indicating suspension was the cause of death*. It is thus submitted that it appears that the victim committed suicide, on which, the learned APP submits that even presuming that victim committed suicide then it was husband, who created the condition conducive for the victim to take the extreme step of



ending her life. Learned Senior counsel for the petitioner, at this stage, submits that Ajay Jamadar had approached this court seeking anticipatory bail by filing Cr. Misc. No.85476 of 2025 and the same came to be allowed by an order dated 17.02.2026, on which, the learned APP submits that the case of Ajay Jamadar cannot be equated with the case of the petitioner, who is the husband of the deceased and it is the husband, who has to ensure the well-being of his wife.

6. After hearing the learned counsel for the parties and also taking into consideration the submissions made by the learned APP, the Court is not inclined to release the petitioner on bail.

7. Accordingly, the regular bail application of the petitioner is rejected.

(Satyavrat Verma, J)

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