

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40306 of 2026

Arising Out of PS. Case No.-233 Year-2025 Thana- AWTARNAGAR District- Saran

Vikash Kumar @ Vikash Ram S/O Kanhai Ram Resident of village- Pratap
pur, P.s.- Awtar nagar, district- Chapra Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prabhakar Singh, Advocate

For the Opposite Party/s : Dr. Ajeet Kumar, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 27-07-2026 Heard Learned Counsel for the petitioner and
Learned APP for the State.

2. The present criminal miscellaneous application has been filed under Sections 483 and 484 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as ‘the BNSS, 2023’) for grant of regular bail to the petitioner who is in custody in connection with Awtar Nagar P.S. Case No. 233 of 2025, lodged on 24.08.2025, under Sections 103(1) /61(2) / 238/3(5) of the Bhartiya Nyay Sanhita, 2023, pending in the Court of learned Judicial Magistrate, Chapra.

3. As per the prosecution, FIR has been lodged against six named accused persons including the present petitioner. It is alleged by the informant that her sister was killed by her husband and in-laws for demand of dowry.



4. Learned Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel submits that the petitioner and the deceased had subsisted for over 11 years and the couple has three children. He submits that after a decade of happy conjugal life the sudden allegation of dowry related torture seems false with ulterior motive. He submits that there is no eyewitness to the occurrence and the entire prosecution case is based on suspicion. He submits that the ingredients of offence under Section 103 of the BNS are prima facie not attracted against the petitioner as well as there is no direct evidence or cogent material available on record to establish the alleged act of murder by the accused persons. Counsel submits that petitioner is in custody since 05.02.2026 having clean antecedent. Counsel further submits that petitioner is ready to fulfill all the conditions whatsoever shall be imposed upon him.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that the allegation of demand of dowry soon before death is there against the petitioner. Petitioner is husband of the deceased.

6. Considering the serious nature of allegation against the petitioner, this Court is not inclined to grant bail to the



petitioner **at present.** Hence, the prayer for bail of the
petitioner is hereby refused.

(Dr. Anshuman, J)

Mkr./Anshuman/

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