

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52461 of 2025

Arising Out of PS. Case No.-282 Year-2023 Thana- WARISNAGAR District- Samastipur

Mukesh Kumar @ Mukesh Sah S/o Batahu Sah R/o Village- Ratanpur, P.S.-
Warisnagar, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Mohammed Arif, A.P.P

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

9 16-02-2026 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in a case registered for the
offence punishable under Sections 304 (B) and 201 of the I.P.C.

3. As per the prosecution case, petitioner and others killed
the informant's daughter and thrown her dead body on railway track
for non-fulfillment of demand of dowry.

4. Learned counsel for the petitioner submits that the
allegations of demand of dowry and torture made in the First
Information Report are completely false and baseless. As a matter of
fact, the inquest report of the deceased itself clearly reveals that the
deceased was found at the railway track and the reason has also been
said to be on account of an accidental death. It has further been
submitted that the very fact that after inquest, the Railway
department had informed the parents of the deceased substantiates



the arguments of the petitioner that the deceased was infact staying with her parents and not with her husband or else the husband who is the petitioner would have been informed of the incident. It has also been submitted that the other co-accused persons have also been granted bail and this submission has also weighed in the orders of the Co-ordinate Benches of this Court. Further, the petitioner is in custody since 28.08.2024 and supplementary affidavit has been filed to state that till date even charges have not been framed.

5. Learned APP for the State opposes the bail petition on the ground that the petitioner is the husband of the deceased and he is primarily responsible for the welfare of his wife and further, post mortem report of the deceased indicates death on account of traumatic brain injury caused by hard and blunt force impact.

6. Taking the rival contention into consideration, this Court is not inclined to grant bail to the petitioner, at this stage, as he happens to be the husband of the deceased and there are allegations made against him.

7. However, the present application is disposed of with liberty to the petitioner to renew his prayer for bail after framing of charges.

(Soni Shrivastava, J)

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