

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49802 of 2025

Arising Out of PS. Case No.-388 Year-2024 Thana- MOTIPUR District- Muzaffarpur

Deepak Kumar S/O Mahendra Mahto R/O Village- Jagdishpur Kushahi, P.S-
Motipur, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Bela Singh

For the Opposite Party/s : Mr. Rajesh Kumar

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

6 12-02-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks bail in a case registered for the
offence punishable under Sections 85, 115(2), 80 of the B.N.S.

3. As per FIR, the petitioner is said to have committed
murder of the daughter of the informant for non-fulfillment of
demand of dowry.

4. Learned counsel for the petitioner submits that the
petitioner has been made an accused in this case with false and
baseless allegations of demand of some cash and motorcycle as
dowry. As a matter of fact, he never indulged in any demand or
torture rather there was an inter caste marriage between the
petitioner and the informant and the wife had died on account of
some physical ailment possibly an epilepsy attack. It is further
submitted that the postmortem report does not indicate the



existence of any injury on the body of the deceased. The petitioner is in custody since 11.11.2024 with no criminal antecedent.

5. Learned APP for the State has opposed the application for bail on the ground that the petitioner is the husband of the deceased and further points out that the opinion with regard to death was reserved for the FSL/Viscera report and the said FSL report from the forensic lab Muzaffarpur, Bihar indicates that the aluminum phosphide (celphos) was detected in the viscera, which is highly poisonous substance.

6. In view of the above-mentioned facts and circumstances and also considering that the petitioner is the husband who is primarily responsible for the welfare of the wife coupled with the FSL report indicating the presence of poisonous substance in the Viscera, I am not inclined to enlarge the petitioner on bail. Accordingly, his prayer for bail is rejected in connection Motipur P.S. Case No. 388 of 2024.

7. However, learned court below is directed to proceed with the case expeditiously.

(Soni Shrivastava, J)

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