

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51396 of 2026

Arising Out of PS. Case No.-238 Year-2025 Thana- BRAHMPUR District- Buxar

Prakash Turha S/O Mahendra Turha R/O Village- Mahadeoganj (Gayghat),
P.S.- Brahmpur, Distt.- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar Roy, Advocate

For the Opposite Party/s : Md. Ataur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 29-07-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Brahmpur P.S. Case No. 238 of 2025, registered for the offences under Sections 80, 3(5) of the BNS.

3. As per the prosecution case, the daughter of the informant was married with the petitioner on 05.03.2025. The allegation against the petitioner and other coaccused persons is that they had been demanding dowry and when their demand has not been fulfilled, they killed the daughter of the informant. The informant also alleged that she was told by her daughter that she was administered with poison like substance.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and he has been



falsely implicated in this case. No occurrence in the manner as alleged has ever taken place. The prosecution story is not believable. The marriage was solemnized on 05.03.2025 and the death has taken place on 12.11.2025 and in between there has been no complaint of any cruelty, harassment or illegal demand of dowry against the petitioner or his family members. The learned counsel further submits that true fact of the case is that the victim was pregnant and she was carrying a foetus of about 34 weeks and three days. On 11.11.2025, she developed some pain and she was taken to the doctor by this informant. Even on 12.11.2025, the victim again felt some pain and she was taken to hospital but she died on her way. On the suggestion of the informant and her family members no post mortem was done and the daughter of the informant was cremated. The informant filed the case after 24 days of the occurrence at the instance of the persons inimical to the petitioner and his family. This long delay shows deliberation and afterthought on the part of the informant and the story about demand of dowry and killing of the daughter of the informant is not believable. Learned counsel further submits that the informant subsequently filed an application before the Court of learned CJM, Buxar that she filed the case under some misconception and has entered into a



compromise with the petitioner. Learned counsel further submits that the petitioner is having clean antecedent and he is in custody since 30.05.2026.

5. Learned APP appearing for the State opposes the submission made on behalf of the petitioner. Learned APP submits that the petitioner is husband of the deceased and the death occurred within a year of the marriage.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the inordinate delay in filing of the FIR and also considering the possibility of false implication, the petitioner is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned CJM, Buxar/concerned court, in connection with Brahmpur P.S. Case No. 238 of 2025, subject to the condition laid down under Section 480(3) of the BNSS and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial



court.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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