

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58676 of 2025

Arising Out of PS. Case No.-183 Year-2024 Thana- SIKTI District- Araria

Rabindra Kumar Sharma @ Ravi Kumar @ Rabindra Kuma Sharma S/o-
Bhikhari Sharma Village- Pahara W.No-9, Ps- Sikty Dist- Araria

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramesh Kumar Singh
For the Opposite Party/s : Mr.Renuka Ratnakar (App)

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 4 25-02-2026 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.
2. The petitioner seeks bail in connection with Sikty
P.S. Case No. 183 of 2024, registered for the offences
punishable under Sections 80 and 3(5) of the Bharatiya Nyaya
Sanhita.
3. Learned counsel for the petitioner submits that
petitioner is in custody since 2-12-2024. It is next submitted that
petitioner, being husband, has been falsely implicated in the
instant case by the informant. It is further submitted that
petitioner and victim were in love and they had eloped and had
performed their marriage and out of the wedlock, a child was
born, but then the parents of the petitioner were not willing to
accept the marriage for the reason that the marriage was inter-



caste, as such victim being fed up with the conduct of the parents of the petitioner committed suicide which also gets corroborated by the postmortem. It is also submitted that informant, who is father of the victim, alleges that in the year 2020, petitioner had abducted his daughter and taken her to Nepal and forcefully performed his marriage for which a criminal case was instituted at Sikty PS, but subsequently the petitioner along with victim came back with the child and as such the informant along with his family members slowly started visiting the house of the petitioner, further the accused persons including the petitioner used to request the victim to convince the informant for withdrawing the criminal case instituted against them, on which the victim even persuaded the informant to withdraw the criminal case which had given rise to Sessions Trial No. 627 of 2023. It is next submitted that after the informant in the aforesaid sessions trial gave evidence in favour of the accused persons, the trauma started as the petitioner along with his family members started demanding dowry of Rs. 7 lakh and on account of non-fulfillment of the same, it is alleged that the victim was tortured and subsequently she was killed.

4. Learned counsel for the petitioner submits that



petitioner has been falsely implicated in the instant case by the informant. It is next submitted that informant is not an eye-witness to the occurrence. It is further submitted that victim committed suicide and the petitioner and his family members never made any efforts to dispose of the dead body with a view to conceal the evidence as they were aware that they were not involved in the occurrence. It is also submitted that had the petitioner and his family members been involved in the occurrence, in that event, efforts would have been made to dispose of the dead body with a view to conceal evidence, but then the dead body was sent for postmortem for ascertaining the cause of death. It is next submitted that the postmortem report records that – death on account of asphyxia on account of hanging, but then police in mechanical manner investigated and submitted charge-sheet against the petitioner.

5. The learned APP opposes the bail application and submits that what is not in dispute rather stands admitted is that the victim died within seven years of marriage and presumption in law is against the husband and his family members, there is also allegation of demand of dowry and torture. It is next submitted that it was only after the accused persons including the petitioner became successful through the victim convincing



the informant of giving a favourable evidence in the aforesaid sessions trial that the trauma started. It is also submitted that even presuming what has been submitted by the learned counsel appearing on behalf of the petitioner to be true but then an important fact cannot be lost sight of, i.e., it is the duty of the husband to ensure the well-being of his wife and even if the wife committed suicide, in that event, it was husband who created condition conducive for her to take the extreme steps of ending her life, moreso she had a child even.

6. Considering the submission made by learned APP, the Court is not inclined to release the petitioner on bail.

7. Accordingly, the prayer for bail of the petitioner is rejected.

(Satyavrat Verma, J)

Sumit/-

U		T	
---	--	---	--

