

Arising Out of PS. Case No.-216 Year-2023 Thana- SHIVSAGAR District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raghunandan Kumar Singh

For the State : Mrs.Pushpa Sinha, APP

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

4 29-01-2026 Heard the learned counsel for the parties.

2. This is an application for regular bail on behalf of the petitioner for the offences alleged under Section 304(B)/34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act, registered in connection with Shivsagar P.S.Cased No. 216 of 2023.

3. The informant, who is the father of the deceased, received telephonic call from the *Mausi* of the deceased that the petitioner (husband) and his family members were brutally assaulting his daughter. Soon thereafter, the father of the petitioner apprised the informant that they were carrying his daughter to the hospital. Thereafter he disconnected the call. The daughter of the informant died in the Sadar Hospital. The



reason for occurrence is alleged due to non-fulfillment of demand of motor-cycle in dowry.

4. The learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated. The deceased died due to ailments and the father of the petitioner himself apprised the family members of the deceased when she was being shifted to the hospital. The learned counsel has submitted further that the doctor who conducted the autopsy, was not definite about the cause of death, and he opined the cause of death as suspected case of poisoning. But the FSL report shows that the viscera did not contain any kind of poisonous substance, which clearly establishes that the victim died due to ailments. The learned counsel has also submitted that, according to the FIR, the accused persons, were brutally assaulting the deceased, but no external injury was found on her person. Other co-accused persons have been granted anticipatory bail by a coordinate Bench of this Court in Cr.Misc.No. 35772 of 2025 under order dated 18.06.2025.

5. The father of the petitioner himself apprised the informant that they were carrying his daughter to the hospital as she was suffering from ailments. There is no external injury on the person of the deceased, according to the post mortem report.



It was a suspected case of poisoning and, that too, was not established in the FSL report relating to the viscera. The petitioner is in custody since 25.04.2025.

6. Considering the above facts and circumstances, let the petitioner, above-named, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate Rohtas at Sasaram in connection with Shivsagar P.S.Case No. 216 of 2023, subject to the condition that the petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(Nawneet Kumar Pandey, J)

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