

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69805 of 2025

Arising Out of PS. Case No.-88 Year-2025 Thana- PANCHRUKHI District- Siwan

Rahul Yadav @ Rahul Kumar Yadav S/o Ram Naresh Yadav R/o Village -
Laheji, P.S - Pachrukhi, M.H Nagar, District - Siwan

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sunita Devi W/o Brij Kumar Yadav R/o - Bibi Ke Bangara, P.S - Barahariya,
District - Siwan

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravindra Nath Dubey, Advocate

For the Opposite Party/s : Mr. Narendra Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

- 3 25-02-2026 1. Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel appearing on behalf of
the informant.
2. The petitioner seeks bail in a case registered for the
offences punishable under Sections 80 and 3(5) of the BNS,
2023.
3. Learned counsel appearing on behalf of the
petitioner submits that petitioner is a person with clean
antecedent and is in custody since 13.05.2025 and the informant
alleges that her daughter was married to petitioner on
09.12.2023. It is further alleged that after marriage, the accused
persons including the petitioner started torturing her for dowry.
Further, the victim was also ousted from her matrimonial home



but then on 18.01.2025 she was taken back from her parental home to her matrimonial home. Further, on 03.03.2025, the informant received an information from an unknown person that the victim is being assaulted, accordingly, the brother-in-law of the informant went to the house of the accused persons and made them understand and thereafter the situation normalized but, on 05.03.2025, the informant came to know that her daughter has been killed, accordingly, she reached the place of occurrence and saw the dead body of her daughter lying with mark of injury on her head, face and body.

4. Learned counsel for the petitioner submits that petitioner, being the husband, has been falsely implicated in the instant case by the informant. It is further submitted that the informant is not an eyewitness to the occurrence and the entire allegation hinges around suspicion. It is next submitted that as far as demand of dowry and torture is alleged, the same is general and omnibus in nature. It is also submitted that informant herself alleges that on 03.03.2025 she came to know that her daughter is being assaulted, accordingly, she sent her brother-in-law who came to the house of the victim and pacified the matter. It is further submitted that had the situation been serious on 03.03.2025 in that event the brother-in-law of the



informant would have taken the victim back to her parental home but then that was not done which amply demonstrates that the dispute which had arisen was normal wear and tear of life.

5. Learned A.P.P. for the State and learned counsel appearing on behalf of the informant opposed the prayer for regular bail of the petitioner. Learned counsel appearing on behalf of the informant submits that what is not in dispute, rather stands admitted is that the deceased died within seven years of marriage and the presumption in law is against the husband of the deceased and his family members. It is further submitted that no doubt, informant is not an eyewitness to the occurrence but then her daughter died. It is next submitted that the FIR itself discloses that on 03.03.2025 the informant was informed by an unknown person that the victim is being tortured/assaulted by the accused persons based on which she sent her brother-in-law for pacifying the issue and it was only after the brother-in-law reached the place of occurrence that the issue was pacified. It is also submitted that it is not possible in all cases to bring back the girl to her parental home. It is further submitted that the dead body was sent for postmortem and the postmortem records the cause of death as asphyxia on account of throttling. It is, thus, submitted that the victim could not have



throttled herself but then throttling was an act committed by the accused persons and petitioner being the husband cannot evade from the responsibility that his wife died in his house on account of throttling.

6. After hearing the learned counsel for the parties, the Court is not inclined to release the petitioner on bail in connection with Pachrukhi (M.H. Nagar) P.S. Case No. 88 of 2025 pending in the Court of learned Additional Chief Judicial Magistrate, Siwan/Successor Court.

7. Hence, the prayer for bail is rejected.

(Satyavrat Verma, J)

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