

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70668 of 2025

Arising Out of PS. Case No.-342 Year-2025 Thana- MADHAURAH District- Saran

Brijesh Manjhi @ Brijesh Kumar Manjhi S/o- Manik Chand Manjhi @ Manik
Chand R/v- Jagdishpur Ps- Marhaura Dist- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Harsh Anuj, Advocate
For the State	:	Mr. Sanjay Kumar Singh, APP
For the informant	:	Mr. Suresh Prasad, Advocate

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

5 25-02-2026 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the Informant.

2. The petitioner has prayed for regular bail in connection with Marhaura P.S. Case No. 342 of 2025 instituted for the offence under Sections 80(2), 238(b) and 3(5) of BNS.

3. The case of the prosecution is that the petitioner was married to one Nilu Devi (deceased). It is further alleged that she was subjected to cruelty on account of non-fulfillment of dowry demand of a motorcycle by her in-laws. It is also alleged on 22.05.2025 the deceased has informed the informant that she was being assaulted by her in-laws. On 23.05.2025, the villagers told the informant that the deceased has died. After this, the informant went to the matrimonial house of the



deceased but he did not find the deceased at the house. On being searched, he came to know that the dead body has been cremated.

4. Learned counsel for the petitioner submits that the petitioner is innocent and committed no offence. He has further submitted that the deceased has died of heart attack and that the family members of the deceased have participated in the cremation. Death is not otherwise, as such, this is not a case under Section 80(2) of BNS. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 13.06.2025.

5. Learned APP appearing for the State and learned counsel for the informant have opposed the prayer of regular bail. Learned counsel for the informant has submitted that this fact has not come during investigation that the informant along with his family members has participated in the cremation of the deceased and from perusal of the FIR also, it is clear that there is no delay in filing of the FIR. It cannot be said that it is a well-planned FIR. As the deceased has died in the matrimonial house, it was the duty of the in-laws, especially the husband to inform the informant and to get the postmortem conducted before



cremation which has not been done in this case.

6. Having heard the learned counsel for the parties and considering the facts and circumstances of this case as stated above, this court is not inclined to enlarge the petitioner on bail at this stage and, as such, his prayer for bail stands rejected.

7. However, the petitioner will be at liberty to renew his prayer for bail after six months if the trial is not concluded.

8. Learned trial court is directed to expedite the trial and conclude the same as soon as possible.

(Ashok Kumar Pandey, J)

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