

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.72077 of 2025**

Arising Out of PS. Case No.-218 Year-2025 Thana- DUMRA District- Sitamarhi

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Jagarnath Mukhiya Son of Baldeo Mukhiya Resident of Village - Hari  
Chapra, P.S.- Dumra, Dist- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Ashok Kumar Jha, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

For the Informant : Ms. Smiti Bharti, Advocate

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**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**

**ORAL ORDER**

3      26-02-2026                      1. Heard learned counsel for the petitioner, learned  
A.P.P. for the State and the learned counsel appearing on behalf  
of the informant, Ms. Smiti Bharti.

2. Learned counsel for the petitioner submits that  
petitioner is a person with clean antecedent and is in custody  
since 02.05.2025 and the informant alleges that marriage of her  
daughter was solemnized with the petitioner about 14 years ago,  
after one year of marriage, the accused persons including the  
petitioner started demanding a motorcycle and on account of  
non-fulfillment of the demand, the victim was tortured, but on



account of intervention of well wishers, the issue was pacified, it is further alleged that out of the wedlock, three children were born, it is next alleged that on account of non-fulfillment of dowry demand, the victim was killed on 01.05.2025.

3. Learned counsel for the petitioner submits that petitioner, being husband, has been falsely implicated in the instant case by the informant. It is next submitted that from perusal of the allegation as alleged in the FIR, it would manifest that informant is not an eye witness to the occurrence, though there is allegation of demand of dowry and torture, but then it is submitted that the marriage was 13 years old and in these 13 years, no case ever came to be instituted either by the informant or the victim alleging demand of dowry and torture. It is next submitted that out of the wedlock, three children were born who presently are with the informant. It is also submitted that the victim was suffering from various diseases and she died a natural death, as such, the postmortem was not conducted, on which the learned APP for the State, Mr. Chandra Bhusnan Prasad, submits that no doubt the marriage was 13 years old, but then what is not disputed rather stands admitted is that the victim died. It is also submitted by the learned APP that if the victim died a natural death, in that event the same could have



been certified by a certificate of the doctor, who was treating her, but then no such death certificate is on record. It is also submitted that that had postmortem of the dead body been carried out at least the cause of death could have been ascertained, but then that is also not the case. It is further submitted that the case has been instituted under Section 103 of the BNS.

4. Learned counsel appearing on behalf of the informant, Ms. Smiti Bharti, submits that she has instructions to make submission not to oppose the regular bail application of the petitioner for the reason that subsequent to institution of the instant FIR, the children disclosed to her that the victim died a natural death, on which the learned APP submits that it appears that the informant is not interested in pursuing the case.

5. On query of the Court from the learned counsel appearing on behalf of the petitioner whether charges have been framed against the petitioner or not, on which it is fairly submitted by the learned counsel appearing on behalf of the petitioner that the charges, till date, have not been framed.

6. After hearing the learned counsel for the parties, the Court is not inclined to release the petitioner on bail, **accordingly, the instant regular bail application stands**



rejected.

7. However, it is made clear that the petitioner would  
be at liberty to renew his prayer for bail after framing of charge.

(Satyavrat Verma, J)

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