

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70756 of 2025

Arising Out of PS. Case No.-267 Year-2024 Thana- MAGADH UNIVERSITY District- Gaya

Nivash Kumar S/o Birendra Yadav Resident of Village - Hasanpur, P.S -
Magadh University, District - Gaya

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar, Adv.
For the Opposite Party/s : Mrs.Renu Kumari, APP
Mr. Ujjawal Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

4 21-01-2026 Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with
Magadh University P.S. Case No. 267 of 2024 dated
10.12.2024, instituted for the offences punishable under
Sections 85 and 80(1) of the Bharatiya Nyaya Sanhita, 2023,
and Section 3/4 of the Dowry Prohibition Act.

3. The prosecution case, in short, is that the
informant's daughter, Sonam Kumari, was married to petitioner
on 23.04.2024. After her marriage, her in-laws demanded a four-
wheeler and subjected her to physical and mental torture for
non- fulfillment of demand of dowry. On 09.12.2024 at about
11 PM the informant was informed that the accused persons had



allegedly killed his daughter by hanging. When the informant reached the place of occurrence, he found the dead body of his daughter was hanging.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in the present case. It is further submitted that the petitioner is the husband of the deceased and no specific overt act has been attributed against him. The allegations levelled against the petitioner are general and omnibus in nature. It is next submitted that due to a domestic altercation between the spouses, the deceased herself committed suicide by hanging with her *dupatta*. Lastly, it is submitted that the petitioner has been in custody since 24.01.2025 and has no criminal antecedents.

5. On the other hand, learned counsel for the informant and the APP for the State have opposed the prayer for bail on behalf of the petitioner and submitted that the marriage of the deceased was solemnized on 23.04.2024. After the marriage, the in-laws of the informant's daughter allegedly demanded a four-wheeler and subjected her to physical and mental torture on account of non-fulfillment of the said demand. It is further submitted that on 09.12.2024 the informant received information that the accused persons had caused the death of his



daughter by hanging. The postmortem report corroborates the prosecution case revealing that the cause of death was asphyxia and shock due to hanging. It is also submitted that the death of the informant's daughter occurred in the house of the petitioner, who, being her husband, had the primary responsibility to ensure her safety and well-being.

6. Considering the nature and gravity of the allegations, the postmortem report supporting the prosecution case and the fact that the death occurred in the matrimonial home of the petitioner, this Court is not inclined to grant bail to the petitioner at this stage.

7. Accordingly, the bail application of the petitioner is rejected.

8. However, in view of the fact that charge has already been framed, the learned Trial Court is directed to expedite the trial and take all endeavour to conclude the trial at the earliest, preferably, within a period of one year from the date of receipt or production of a copy of this order.

(Khatim Reza, J)

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