

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.75575 of 2025**

Arising Out of PS. Case No.-304 Year-2024 Thana- MAHISHI District- Saharsa

---

SUSHIL MUKHIYA S/O BABU PRASAD MUKHIYA R/o vill - Gandaul @  
Garaul, P.s.- Maheshi (Jalai O.P), Distt.- Saharsa. ... .. Petitioner/s  
Versus

The State of Bihar. ... .. Opposite Party/s

---

**Appearance :**

For the Petitioner/s : Mr. Nafisuzzoha, Advocate  
For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

---

**CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA**  
**ORAL ORDER**

4      19-02-2026                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner seeks bail in a case registered for  
the offence punishable under Sections 80, 352, 351(2) and 3(5)  
of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution case, the petitioner in  
association of other co-accused is said to have killed the  
daughter of the informant on non-fulfillment of demand of  
dowry.

4. It is submitted by learned counsel for the  
petitioner that the petitioner has been falsely implicated in this  
case. As a matter of fact, the deceased had committed suicide  
since the marriage was solemnized against her will. Further, the  
victim was also short tempered and the postmortem report also  
indicates the cause of death as asphyxia due to hanging. The



petitioner has no criminal antecedent and has been languishing in custody since 30.10.2024.

5. Learned APP for the State vehemently opposing the bail petition submitted that the petitioner, being the husband of the deceased, is primarily responsible for welfare of his wife and considering the advance stage of the trial, does not deserve the privilege of bail.

6. By order dated 21.01.2026, a report had been called for with regard to the stage of the case which demonstrates that three out of the four witnesses have been examined and one witness, the Investigating Officer has been summoned and the next date was fixed as 03.02.2026.

7. Taking into consideration the facts and circumstances of the case and also considering the fact that petitioner is the husband of the deceased coupled with the fact that the trial of the case is at advance stage, I am not inclined to enlarge the petitioner on bail. The prayer for bail is hereby rejected. However, the learned Trial Court is directed to expedite the trial and conclude it as soon as possible, preferably within a period of four months.

**(Soni Shrivastava, J)**

Trivedi/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

