

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75535 of 2025

Arising Out of PS. Case No.-411 Year-2024 Thana- BANIAPUR District- Saran

Vikash Prasad @ Bikash Prasad S/O Swaminath Prasad @ Swaminath Pd.
Resident of village- Karahi, P.S.- Baniyapur, Distt.- Saran

... .. Petitioner/s

Versus

1. The State of Bihar Patna
2. Shambhu Lal Prasad S/O late Nagina Prasad R/O Vill.- Bagaura, P.s.-
Daraunda, Dist.- Siwan.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Dr. Rajesh Kumar Singh, Advocate
For the Opposite Party/s : Mr. Ram Sumiran Rai, A.P.P.

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

4 16-02-2026 Heard the learned counsel for the petitioner and the
learned APP for the State.

2. The petitioner seeks bail in a case registered for the
offence punishable under Sections 80 and 3 (5) of B.N.S.

3. As per the prosecution case, petitioner and other killed
the daughter of the informant for non-fulfillment of demand of
dowry.

4. Learned counsel for the petitioner submits that the
petitioner has been made accused in this case only on account of the
fact that he happens to be husband of the deceased but the fact
remain that he was not even present at the place of occurrence rather
he was at Ahmedabad where he was posted and he came to Patna
only after getting an information about the death of the deceased.



Further, it is also a fact that the death of the deceased was informed to the informant by the father-in-law of the deceased who was also subsequently granted bail by a co-ordinate Bench of this Court vide order dated 26.09.2025 passed in Cr. Misc. No. 62978 of 2025 (Annexure-5). It has further been argued that the post mortem report also shows the cause of death as asphyxia due to hanging and it is actually a fact that on account of some dispute and matrimonial discord the deceased had committed suicide and the petitioner is no way involved in the said offence. Petitioner is in custody since 30.07.2025 and charge sheet has already been submitted.

5. Learned APP for the State opposed the bail petition.

6. Taking into consideration the facts and circumstances of the case and also considering the fact that the petitioner is the husband who is primarily responsible for the welfare of his wife as such, this Court is not inclined to grant bail to the petitioner at this stage.

7. However, the petitioner is directed to renew his prayer for bail after framing of charge.

(Soni Shrivastava, J)

vashudha/-

U		T	
---	--	---	--

