

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79822 of 2025

Arising Out of PS. Case No.-78 Year-2024 Thana- Jaitpur District- Muzaffarpur

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Saroj Sahni @ Saroj Kumar Son of Rajgir Sahani Resident of Village - Ema
Pagahiya, Police Station-Jaitpur, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shashank Shekhar, Advocate

For the Opposite Party/s : Mr. Akshay Lal Pandit, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 326-02-20261. Heard learned counsel for the petitioner and
learned A.P.P. for the State.
2. The petitioner seeks bail in a case registered for the
offences punishable under Sections 80 and 3(5) of the BNS,
2023.
3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and is in custody
since 17.06.2025. It is next submitted that petitioner, being
husband, has been falsely implicated in the instant case with an



allegation that daughter of the informant was married to the petitioner in the year 2022 and on 17.07.2024, the informant came to know that her daughter has been killed, accordingly, she reached the place of occurrence, but then no one was found present in the house except the mother-in-law, thus, alleges that accused persons killed her daughter for non-fulfillment of dowry demand.

4. Learned counsel for the petitioner submits that informant is not an eye witness to the occurrence and the entire allegation hinges around suspicion. It is further submitted that from perusal of the allegation as alleged in the FIR, it would manifest that allegation of demand of dowry and torture is general and omnibus in nature. It is also submitted that deceased was suffering from various diseases, as such, she died a natural death.

5. On query of the Court that as to whether postmortem of the deceased was conducted or not, the learned counsel for the petitioner fairly submits that the body was not sent for postmortem, but was cremated in presence of the family members.

6. Learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner and submits that though it is



submitted by the learned counsel appearing on behalf of the petitioner that the body of the deceased was cremated in presence of her family members, but then from perusal of the FIR, it manifests that the informant specifically alleges that on coming to know that victim was killed, she reached the place of occurrence and no one was found in the house except the mother-in-law. It is also submitted that the victim died within seven years of marriage, as such, presumption in law is also against the petitioner and his family members. It is further submitted that it appears that the death was not natural or else the dead body would have been sent for postmortem for ascertaining the cause of death, it is thus submitted that the cause of death is not ascertained and it was the responsibility of the petitioner, being husband, to ensure the well being of his wife.

7. At this stage, the learned counsel for the petitioner submits that the victim died on account of heart attack, on which the learned APP submits that had the victim died on account of heart attack, in that event, the same would have been certified by a doctor and the death certificate would have been issued, but then no death certificate is on record.

8. Considering the submissions made by the learned



APP for the State, the Court is not inclined to release the petitioner on bail.

9. Accordingly, the instant regular bail application stands rejected.

(Satyavrat Verma, J)

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