

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 87111 of 2025**

Arising Out of PS. Case No.-238 Year-2023 Thana- MINAPUR District- Muzaffarpur

Bharat Mahto Son of Rajendra Mahto R/o Village- Dubarbana, P.S.- Minapur,
District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashi Bhushan Singh, Advocate
For the State : Mr.Sanjay Kr Pandey, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER**

6 06-05-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in connection with Minapur P.S. Case No. 238 of 2023 instituted for the offence under Sections 498 (A), 304 (B) and 201 of the I.P.C.

3. The case of the prosecution is that one *Raachan Devi* was married to the petitioner six years ago. She was also having two daughters out of the wedlock. She was being subjected to cruelty on account of non-fulfillment of dowry demand. On 09.06.2023, the informant received the information that the deceased has died and dead body has been concealed. When the informant reached the matrimonial house of the deceased, the dead body was recovered from a pond with the



help of the police.

4. Learned counsel for the petitioner submits that the petitioner is innocent and committed no offence. He has further submitted that in this case, the nature of allegation is general and omnibus and that the family members of the deceased have also participated in the cremation.

5. Learned APP appearing for the State has vehemently opposed the prayer of regular bail and has submitted that from perusal of the postmortem report, it will transpire that the doctor conducting the postmortem of the deceased has found following antemortem injuries on the body of the deceased:- (i) abrasion 4" x 1" middle of neck horizontally (ii) bruise was found around right eye (iii) bruise 3" x 2" was found over right side of back below scapula and the doctor has opined that the deceased has died due to asphyxia as a result of pressure over neck. Injuries were caused by hard and blunt objects. From perusal of the F.I.R. itself, it is clear that the body of the deceased was recovered from a pond.

6. Having heard the learned counsel for the parties and considering the facts and circumstances of this case as stated above, since the petitioner is the husband of the deceased and main thrust of allegation is against him, this court is not



inclined to enlarge the petitioner on bail at this stage and, as such, his prayer for bail stands rejected.

7. However, the petitioner will be at liberty to renew his prayer for bail after six months if the trial is not concluded.

8. Learned trial court is directed to expedite the trial.

(Ashok Kumar Pandey, J)

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