

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80911 of 2025

Arising Out of PS. Case No.-100 Year-2024 Thana- NAYA RAM NAGAR District- Munger

Uttam Kumar @ Pappu Kumar @ Pappu S/o Balmiki Tiwari @ Balmiki Prasad Tiwari @ Prakash Mandal @ Balmiki @ Balmiki Mandal Resident of Village - Barai Chak, Patam, P.S - Naya Ram Nagar, District - Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md Fazle Karim, Advocate

For the Opposite Party/s : Mr. Shyameshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

3 11-02-2026 Heard learned counsel for the petitioner, learned APP for the State and perused the case diary.

2. The petitioner seeks bail in connection with Naya Ramnagar P.S. Case No. 100 of 2024, instituted for the offences punishable under Sections 80(2) and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. The prosecution case, in short, is that daughter of the informant has been done to death by her husband and in-laws for non-fulfillment of demand of dowry.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Charge-sheet has been submitted in this case. Learned counsel for the petitioner also submitted that there is



delay of three days in lodging the FIR. No specific allegation has been attributed against the petitioner rather the same is general and omnibus in nature. The petitioner is husband of the deceased. It is next submitted that the deceased was a short-tempered lady and has committed suicide on a pity dispute. It is further submitted that the petitioner was not present at the place of occurrence. The deceased was also taken to the hospital and during treatment she died. The petitioner is in custody since 19.05.2025 and has got no criminal antecedent.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner and submitted that the petitioner is named in the FIR. It is also submitted that on perusal of post-mortem report, it transpires that the victim died death due to asphyxia caused by strangulation and the Forensic team has opined that the victim had been murdered though the petitioner had stated that victim had committed suicide. Further the petitioner is husband of the deceased and, therefore, onus lies upon him to explain the cause of death. Hence, the petitioner does not deserve the privilege of bail.

6. Considering the aforesaid facts and circumstances of the case, nature of accusation and the gravity of the offence, this Court is not inclined to grant bail to the petitioner.



7. The prayer is rejected. The trial Court is directed to expedite the Trial. However, if the trial is not concluded within a period of six months from the date of receipt/production, the petitioner will have liberty to renew his prayer for bail in the Court below.

(Rudra Prakash Mishra, J)

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