

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80468 of 2025

Arising Out of PS. Case No.-294 Year-2025 Thana- WARISLIGANJ District- Nawada

Mohit Kumar Son of Janardan Verma @ Janardan Prasad R/o Village- Simri
Gali, Warisaliganj, P.S.- Warisaliganj, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal, Sr. Adv. Mr. Shankar Kumar, Advocate
For the Opposite Party/s	:	Ms. Sucheta Yadav, Advocate

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 30-01-2026 Heard Mr. N.K. Agrawal, learned senior counsel for
the petitioner and Ms. Sucheta Yadav, learned APP for the
State.

2. The petitioner has prayed for bail in connection
with Warisaliganj P.S. Case No. 294 of 2025 registered for the
offence punishable under Sections 80 and 3(5) of the B.N.S.,
2023 which is corresponding to Section 304B and 34 of the
Indian Penal Code and Sections 3 & 4 of the Dowry Prohibition
Act.

3. The case of the prosecution in short is that the
deceased, namely, Muskan Kumari, was married to the
petitioner. It is alleged that she was subjected to cruelty on
account of non-fulfillment of the dowry demand of Rs. 5 lakhs.



It is further alleged that all the in-laws have administered poison to the deceased. The informant was informed by the in-laws of the deceased that the deceased is ill. When the informant reached the house of the deceased, he found the deceased lying down, and froth was coming from her mouth and nostrils. The informant suspects that the deceased has been killed by administering poison.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this case. Learned counsel for the petitioner submits that from perusal of the FIR, it transpires that the nature of allegation is general and omnibus. He also submits that the petitioner and his family members took the deceased to the hospital, where she died, which is evident from para-2 of the case diary. It has also been submitted that from perusal of the postmortem report, it is clear that on external examination, the doctor conducting the autopsy of the deceased has found the following injuries: (i) froth coming from nose (ii) Blackening of face and neck (iii) No any other external injury was seen on the whole body. Learned counsel for the petitioner also submits that though the cause of death was not ascertained and the viscera was preserved but the



bona fides of the petitioner are clear, as he and his family members have rushed the deceased to hospital. If the poison would have been administered by the petitioner, why should he rushed the deceased to the hospital. Moreover, a statement has been made in para 3 of the petition that petitioner has no criminal antecedent and he is languishing in judicial custody since 06.06.2025.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-IV, Nawada in connection with Warisaliganj P.S. Case No. 294 of 2025.

(Ashok Kumar Pandey, J)

Sudhanshu/-

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