

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84120 of 2025

Arising Out of PS. Case No.-137 Year-2024 Thana- BARARI District- Katihar

Chandra Shekhar Yadav @ Chandra Shekhar Kumar S/o- Late Vijay Yadav
Village- Bakiya Sukhari PS-Barari Distt- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Rounak Kumar Singh (Pankaj)
For the Opposite Party/s :	Mr. Sanjay Kumar Pandey, APP
For the Informant :	Mr. Sanjeev Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

4 17-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 304 (B)/34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

3. The case of the prosecution is that the informant's sister, namely, Daizy Kumari (now deceased) was married to the petitioner, namely, Chandra Shekhar Yadav. It is further alleged that she was subjected to cruelty on account of non-fulfillment of demand of dowry. It is further alleged that on 23.04.2024 and 24.04.2024, she was assaulted by her husband and mother-in-law. It is also alleged that on 24.04.2024, she was brought to



Referral Hospital, Pirpainti, and on 25.04.2024, she succumbed to her injuries during the course of treatment.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in connection with the present case. It is further submitted that during the course of investigation, it has come that the deceased was brought to her paternal house and from there her family members consulted a local doctor. It is further submitted that in paragraph-68 of the case diary, it has come that she was treated by a village doctor, namely, Amarjeet Kumar who prescribed some painkillers. Thereafter, she slept with her mother in the 'Varandha' of the house and when she got serious, she was rushed to a private hospital, Pripainti belonging to Jitu Yadav from where she was referred to Referral Hospital, Pirpainti and she died in course of treatment. It is further submitted that in paragraph-69 of the case diary, it has also come that the deceased was brought to her paternal house and was treated by the village doctor Amarjeet Kumar. It is further submitted that from perusal of the post-mortem report, it would transpire that the doctor has opined that cause of death is Asphyxia and shock due to antemortem smothering. It has further been opined that Injury Nos. 1 to 3 were antemortem



and caused due to pressure applied over the mouth and nose by some soft/blunt objects. It is further opined that injury nos. 4 to 10 were antemortem and simple in nature caused by hard and blunt substance and were not sufficient to cause death. It is further submitted that the cause of death is smothering and admittedly from 24.04.2024, the deceased was at her paternal house. Had smothering been done at her matrimonial house, death would not have been delayed for such a long period.

5. Learned counsel for the informant from perusal of the post-mortem report, submits that the doctor had found altogether 10 antemortem injuries and both lips were found swollen with two bite teeth marks on the left side. It is also submitted that from perusal of the First Information Report, it is clear that there are specific allegations that the deceased was being assaulted badly.

6. Learned counsel for the petitioner could not satisfy this Court regarding the injury nos. 4 to 10 as to how the said injuries were caused. From perusal of the receipt of Referral hospital, Pirpainti, it is clear that the deceased died immediately after reaching the hospital, prior to commencement of proper treatment.

7. Considering the aforesaid facts and circumstances



of the case and the material available on record, I am not inclined to extend him the privilege of bail at this stage. The bail application of the petitioner stands rejected. However, he may renew his prayer for bail after six months, if the trial is not concluded.

(Ashok Kumar Pandey, J)

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