

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89228 of 2025

Arising Out of PS. Case No.-43 Year-2025 Thana- Mathurapur District- Samastipur

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Suraj Kumar Son of Rajendra Sah Resident of Village- Mathurapur Sonatola,
P.S.- Mathurapur, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Abhay Shanker Singh, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 18-02-2026 Heard learned counsel for the petitioner, informant
and learned APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 80 (2), 3 (5) of the BNS and Section 3/4 of the Dowry Prohibition Act.

3. The case of the prosecution is that Chandni Kumari (now deceased) was married with Suraj Kumar (the petitioner herein) in the year, 2022. It is further alleged that the deceased had informed the informant that she was being subjected to cruelty on account of non-fulfillment of demand of dowry. It is also alleged that on 08.05.2025, the deceased informed the informant that she was being assaulted by her in-laws and was being threatened with death. On 09.05.2025, the informant was informed by the villagers that the deceased had



been killed. Upon receiving this information, they reached the matrimonial house of the deceased.

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 from a perusal of the First Information Report (FIR), it is clear that the nature of the allegation is general and omnibus. From the case diary, it would transpire that the petitioner and his family members had not fled away rather they were present at the house, which shows the conduct and their *bona fides*. It is further submitted that from a bare perusal of the post-mortem report, it would transpire that the doctor found a ligature mark on the neck of the deceased and opined that the cause of death is Asphyxia due to hanging. Moreover, the petitioner is languishing in judicial custody since 09.05.2025 having no criminal antecedent.

5. A report from the trial Court was also called for. A bare perusal of the report, it would transpire that only one private witness and three official witnesses are to be examined.

6. Learned counsel for the Informant has vehemently opposed the prayer of regular bail, submitting that from a perusal of the post-mortem report, it would transpire that the



doctor also found swelling at right parietal region of size (4x3) c.m. and that the deceased was pregnant and in an advanced stage at the time of death. It is further submitted that there is no clarification from the side of the petitioner as to how these ante-mortem injuries were caused. It is further submitted that the petitioner is a husband and the main thrust of the allegation is against him.

7. Considering the aforesaid facts and circumstances of the case and the materials available in the case diary, I am not inclined to extend the privilege of regular bail to the petitioner. Accordingly, the bail application of the petitioner stands rejected at this stage. However, he may renew his prayer for bail after six months.

8. Accordingly, the learned trial Court is hereby directed to expedite the trial and conclude the same within a period of six months.

(Ashok Kumar Pandey, J)

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