

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89975 of 2025

Arising Out of PS. Case No.-283 Year-2024 Thana- RAGHOPUR District- Supaul

MD. IMTIYAZ Son of Md. Jaffir @ Md. Jafir Alam @ Md. Japheer Resident
of village - Hulas, Ward No.- 13, Vichari, P.S.- Raghopur, District - Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nafisu Zzoha

For the Opposite Party/s : Mr.Parmanand Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 11-03-2026 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner seeks bail in connection with
Raghopur Case No. 283 of 2024 registered for the offences
punishable under Sections Sections 103(1), 85 and 3(5) of the
BNS, 2023 read with Section 3 /4 of the DP Act.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and is in custody
since 28-5-2025 and the informant alleges that his sister was
married to the petitioner in the year 2017 and out of the
wedlock, two children were born, further for the last two years,
the named accused persons including the petitioner were
demanding dowry of Rs. 10 Lakhs and for non fulfillment of the
demand, the victim was tortured, further on 16.08.2024,



informant was informed that his sister has been brutally assaulted, and thus has died, accordingly, he reached the place of occurrence and saw the dead body of his sister lying and blood was found spread over the verandah and the accused persons had fled.

4. Learned counsel for the petitioner submits that petitioner, being husband, has been falsely implicated in the instant case by the informant. It is next submitted that informant is not an eye-witness to the occurrence and the entire allegation hinges around suspicion. It is further submitted that the marriage of the petitioner with the deceased was more than 8 years old and out of the wedlock, two children were born, but in these eight years, no case ever came to be instituted either by the informant or the deceased alleging torture on account of non-fulfillment of demand of dowry.

5. On query of the court with regard to postmortem report, the learned counsel for the petitioner submits that he has copy of the case diary and after perusing the same submits that postmortem records that death was on account of cardiogenic respiratory failure due to strangulation.

6. Learned A.P.P. for the State opposes the prayer for bail of the petitioner and submits that what is not in dispute



rather stands admitted is that the wife of the petitioner died and her dead body was also found in the house of the petitioner and the postmortem records the cause of death as cardiogenic respiratory failure due to strangulation. It is also submitted that postmortem clearly records the cause of death is on account of cardiogenic respiratory failure on account of strangulation. It is further submitted that whether the petitioner was involved in the occurrence or not is an aspect of trial, but since the dead body was found inside the house of the petitioner with marks of injuries coupled with the fact that strangulation is recorded in the postmortem, as such the instant case is not a fit case for grant of regular bail.

7. Considering the submission made by learned APP, the Court is not inclined to release the petitioner on bail.

8. Accordingly, the prayer for bail of the petitioner is rejected.

9. At this stage, learned counsel for the petitioner submits that charges against the petitioner has been framed on 23-9-2025.

(Satyavrat Verma, J)

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