

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90122 of 2025

Arising Out of PS. Case No.-20 Year-2023 Thana- HARLAKHI District- Madhubani

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Lalit Paswan S/O Dasai Paswan R/O Vill- Sisauni, P.S- Harlakhi, Distt- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Kumari Pallavi, Advocate

For the Opposite Party/s : Mr. Md. Ataur Rahman, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 11-03-2026 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in a case registered for the offences punishable under Sections 304(B)/34 and 201 of the Indian Penal Code.

3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and is in custody since 24.01.2023 and being husband has been falsely implicated by the informant, who is sister of the deceased. It is next submitted that informant is not an eye-witness to the occurrence and the entire allegation hinges around suspicion and even demand of dowry is general and omnibus in nature.

4. Learned APP for the State vehemently opposes the bail application and submits that from perusal of the allegations, as alleged in the FIR, it would manifest that the marriage of the petitioner with the victim was two years old and there is demand



of dowry and torture. It is next submitted that the death of the victim took place within seven years of marriage, as such, the presumption in law is also against the husband. It is further submitted that the FIR specifically alleges that the dead body of the victim was burnt, as such, the same was not sent for post mortem. On query of the Court from the learned counsel for the petitioner whether the body was sent for post mortem or not, learned counsel for the petitioner fairly submits that body was not sent for post mortem rather was cremated on which, the learned APP submits that since the body has been cremated that amply demonstrates that the husband and his family members were not interested in sending the body for post mortem for ascertaining the cause of death which further casts an aspersion on the conduct of the petitioner.

5. After hearing learned counsel for the parties, the Court is not inclined to release the petitioner on bail, accordingly, the prayer for grant of bail to the petitioner is hereby rejected in connection with Harlakhi P.S. Case No.20 of 2023, pending in the court of learned Sessions Judge, Madhubani.

(Satyavrat Verma, J)

Sanjay/-

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