

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2114 of 2026

Arising Out of PS. Case No.-66 Year-2025 Thana- HILSA District- Nalanda

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Prem Paswan Son of Umesh Paswan Resident of Village Mai, P.S.- Hilsa,
District - Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vibhuti Ranjan Sonvadra

For the Opposite Party/s : Mr. Ajay Kumar Jha

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 21-04-2026 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.
2. The petitioner seeks bail in connection with Hilsa
P.S. Case No. 66 of 2025, registered for the offences punishable
under Sections 80(2), 3(5) of the Bharatiya Nyaya Sanhita, 2023
and sections 3/4 of Dowry Prohibition Act, 1961.
3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and is in custody
since 16.05.2025. It is next submitted that the informant alleges
that his daughter was married to the petitioner in July, 2024,
after marriage, the petitioner and other co-accused persons
started torturing his daughter for non-fulfillment of the demand
of dowry of a motorcycle, further, on 30.01.2025, the informant
received an information that his daughter was admitted at Hilsa
Hospital, accordingly, he reached the hospital but found her
dead.



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 from perusal of the allegation as alleged in the F.I.R., it would manifest that allegation of demand of dowry and torture is general and omnibus in nature. It is also submitted that no doubt the death of the daughter of the informant took place within seven years of marriage and in law presumption is against the husband and his family members but then all deaths are not dowry deaths. It is also submitted that informant is not an eye-witness to the occurrence and from perusal of the allegation as alleged in the F.I.R., it would manifest that informant was informed that his daughter was admitted at Hilsa Hospital where he came and found her dead. It is also submitted that had the petitioner and his family members been involved in the occurrence, in that event, efforts would have been made to dispose off the dead body with a view to conceal evidence but then the victim was taken to hospital where she died and thereafter postmortem was conducted for ascertaining the cause of death. It is also submitted that the FIR came to be instituted by the informant after the postmortem was done and body cremated. It is thus submitted that till cremation of the body the



informant had no grievance with the petitioner and his family members, as such it appears that by way of after thought the instant FIR came to be instituted.

5. Learned A.P.P. for the State vehemently opposes the bail application of the petitioner and submits that what is not in dispute rather stands admitted is that victim died within seven years of marriage and presumption in law is against the husband and his family members. It is also submitted that the cause of death has been opined to be asphyxia on account of antemortem hanging. It is thus submitted that it might be a possibility that the victim committed suicide but then who was responsible for the same. It is submitted that petitioner being husband of the deceased was responsible for well being of his wife but then it appears that he created condition conducive for the victim to take the extreme step of ending her life.

6. Considering the submissions made on behalf of the learned APP, the Court is not inclined to release the petitioner on bail.

7. The bail application of the petitioner is rejected.

(Satyavrat Verma, J)

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