

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.107 of 2026

Arising Out of PS. Case No.-300 Year-2024 Thana- KASIMBAZAR District- Munger

Roushan Kumar, S/o Basudeo Singh, R/o Village/Muhalla- Argarha Road
Kasim Bazar, Lallu Pokhar, P.S.- Kasim Bazar, District - Munger

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Sanjiv Kumar Singh, Advocate

For the Opposite Party/s : Mr. Akshay Lal Pandit, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 12-02-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The accused/petitioner is named in the FIR and apprehending his arrest in connection with Kasim Bazar P.S. Case No.300 of 2024 registered under Sections 80 read with 3(5) of the Bhartiya Nyaya Sanhita, 2023 (in short 'B.N.S.').

3. As per FIR, the daughter of informant, who was assaulted by petitioner (husband) and his family members on 18.10.2024 due to which, she received injuries in her stomach out of which, she died during course of treatment.

4. It is submitted by learned counsel appearing for petitioner that admittedly three months before the



occurrence, the daughter of informant gave birth to a male baby through cesarean. It is pointed out that the deceased was suffering from different health related issues pre and post cesarean operations and when on one such occasion, she developed pain, she fall down to the ground in which she received a minor injury on her lip whereafter she was brought to nearby hospital, where she died during the course of treatment. It is submitted that upon postmortem, cause of death was not ascertained by doctor and even upon preserved visera examination, no poison or any incriminating material could ascertained. It is submitted that all such factual aspects are properly explaining the cause of death of the daughter of informant which also appears supported by informant himself to the extent that prior to three months of occurrence, a major operation was done on deceased daughter in connection with delivery and she died in hospital during treatment.

5. Arguing further, it is submitted that even the dowry demand as alleged to be raised for cash of Rs.5 lakhs appears very much general and omnibus in nature. It is



pointed out that as the death of the daughter of informant is properly explained *qua* her natural death, the FIR as lodged for the offence under Section 80 of the BNS appears not convincing.

6. Learned APP while opposing the prayer of bail submitted that the petitioner is the husband. However, he could not dispute the post complexities arising out of cesarean delivery, as discussed aforesaid.

7. In view of aforesaid factual submissions and by taking note of fact as *prima facie* petitioner being husband appears to explain the death of deceased daughter of informant, which also appears supported to the extent by FIR itself, accordingly, the petitioner, above-named, in the event of his arrest or surrender in the court below within a period of four weeks from today, is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Munger in connection with Kasim Bazar P.S. Case No.300 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure



(in short ‘CrPC’)/under Section 482(2) of the Bhartiya Nagrik
Suraksha Sanhita, 2023 (in short ‘BNSS’).

(Chandra Shekhar Jha, J.)

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