

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.92072 of 2025

Arising Out of PS. Case No.-14 Year-2025 Thana- MAHILA PS District- Katihar

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Pawan Kumar S/o Prakash Roy, Resident of Village- Sikkat Semapur, P.S.-
Barari, District- Katihar.

... .. Petitioner

Versus

1. The State of Bihar.
2. Sweety Kumari W/O Pawan Kumar D/O Ramesh Chnadra Roy, R/O -
Mirchaibari, P.S- Sahayak, Dist- Katihar.

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Bimal Kumar, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA

ORAL ORDER

3 25-02-2026 Heard learned counsel for the petitioner and

learned A.P.P. for the State.

2. In the present case, the petitioner seeks bail in
connection with Mahila P.S. Case No. 14 of 2025 dated
26.04.2025, registered for the offences punishable under
Sections 85, 109, 127(2), 352 and 351(2)(3) read with Section
3(5) of the B.N.S., 2023.

3. As per the prosecution case, petitioner has been
married with informant and they have two children out of this
wedlock. The allegation against the petitioner and other co-
accused persons is demand of Rs. 2,00,000/- as dowry and on
non-fulfillment of this demand, consequent torture and assault.
Further allegation is that the petitioner tried to strangle the



informant and he also tried to set her on fire by pouring kerosene oil.

4. Learned counsel appearing on behalf of the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. The prosecution story is not believable. If the petitioner intended to cause death of the informant, he would either have strangled her or have set her on fire as there was no inhibiting circumstances. Moreover, if the petitioner would have strangled the informant, why would he set her on fire. The allegation of demand of dowry of Rs. 2,00,000/- is absurd as marriage took place eight years back and the couple have two children out of this wedlock aged about seven years and three years. The informant was initially examined at the Sadar Hospital, Katihar and the injury report issued by Sadar Hospital, Katihar shows only an abrasion over the neck associated with neck pain and body ache and there is no mentioning of any burn injury. Subsequently, the informant got herself examined in Katihar Medical College and forged report has been prepared showing superficial first degree burn over lower chest and abdomen. However, this report is also falsified by the further statement of the victim / informant, wherein she stated that though her husband poured kerosene



over her, but he did not set her on fire. Learned counsel next submits that petitioner is having clean antecedent and chargesheet has been submitted. Learned counsel lastly submits that petitioner is in custody since 03.07.2025.

5. Learned A.P.P. appearing on behalf of the State opposes the submissions made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the nature of injury of the petitioner and also considering his clean antecedent, his period of custody and submission of chargesheet, the petitioner, above-named, is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Katihar / concerned Court, in connection with **Mahila P.S. Case No. 14 of 2025**, subject to the condition laid down under Section 480(3) of the B.N.S.S. and other following conditions:

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned



trial Court.

*(iii) In case of absence on three consecutive dates
or in violation of the terms of the bail, the bail bond of the
petitioner will be liable to be cancelled by the Court concerned.*

(Arun Kumar Jha, J)

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