

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1738 of 2026

Arising Out of PS. Case No.-137 Year-2025 Thana- SAKRA District- Muzaffarpur

Satish Kumar @ Satish Kumar Das S/O Late Arun Das R/O Village -
Mahmadpur Bujurg, P.S - Sakra, District- Muzaffarpur

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Prashant Kumar S/O Late Kailash Prasad Sinha R/O Vill.- Sherpur, P.S-
Sadar, Dist- Muzaffarpur

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Ranjan

For the Opposite Party/s : Mr.Satyendra Prasad

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

6 09-06-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State. However, despite the
issuance of notice to opposite party no.2, no one has appeared
on behalf of the opposite party no. 2.

2. The petitioner seeks bail in a case registered for the
offence punishable under Sections 103(1), 3(5), of B.N.S.,
Section 4/6 of POCSO Act and Section 9 of Prohibition of Child
Marriage Act.

3. Petitioner is said to have committed murder of the
minor daughter of the informant

4. Learned counsel for the petitioner submits that the
petitioner is said to be the husband of the deceased, who was



informant's daughter. The allegation against him is that the deceased had left her house on 31.05.2024 and had informed the informant that she had performed marriage with the petitioner and was leading a happy conjugal life, as would be evident from the FIR itself. However, the subsequent information about she being assaulted and also an attempt having been made to kill her was falsely inserted in the FIR. However, the postmortem report does not indicate any external injury but has only noticed some round shaped rashes present on the body. The opinion with regard to the cause of death was reserved till the report of histopathological analysis and chemical analysis. The FSL report had been called for and the same is on record, a perusal of which also indicates that no metallic or volatile poison was detected in the FSL. It has been submitted on behalf of the petitioner that the deceased was already suffering with some disease and the same became the cause of her death. It has also been pointed out that there is delay of 10 days in lodging the FIR, inasmuch as while the occurrence is said to have taken place on 08.03.2025 the FIR was lodged on 18.03.2025. Further, the petitioner has no criminal antecedent and he is in custody since 02.07.2025 and presently the charges have been framed but no witness has been examined so far.



5. Learned APP for the State has opposed the application for bail.

6. Taking into consideration the facts and circumstances and also considering the fact that there is no direct evidence against the petitioner and the same is based upon suspicion, coupled with the fact that the postmortem report and FSL report also does not indicate any incriminating circumstance and the petitioner undertakes to co-operate in the trial, let the above named petitioner, be enlarged 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 court below where the case is pending/successor court in connection with Sakra P.S. Case No. 137/2025.

7. It is made clear that the petitioner would appear on each and every date and if the petitioner does not appear on two consecutive dates without any substantial or satisfactory reason, the learned court below would be at liberty to cancel his bail bonds.

(Soni Shrivastava, J)

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