

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.91688 of 2025

Arising Out of PS. Case No.-317 Year-2025 Thana- SIKARPUR District- West Champaran

Umesh Patel son of Lalan Patel @ Lalan Raut Resident Of Village -
Upadhyay tola, Ps- Shikarpur, Kehuniya, Bettiah, West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mrs. Renu Kumari, APP

For the Informant : Mr. Mayank Mohan, Advocate

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 20-02-2026 Heard Mr. Dhananjay Kumar, learned counsel
for the petitioner, Mrs. Renu Kumari, learned APP for the State,
Mr. Mayank Mohan, learned counsel for the informant and
perused the case diary.

2. The petitioner seeks bail in connection with
Shikarpur P.S. Case No. 317 of 2025, instituted for the offences
punishable under Sections 80 and 3(5) of the Bharatiya Nyaya
Sanhita, 2023.

3. The prosecution case, in short, is that daughter of
the informant has been done to death by her husband and in-
laws for non-fulfillment of demand of dowry.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. Charge-sheet has been submitted in this case.
Learned counsel for the petitioner also submitted that the



petitioner is husband of the deceased and he was not present at the time of occurrence. It is next submitted that the allegation levelled against the petitioner is general and omnibus in nature. It is further submitted that the deceased has committed suicide in the absence of the petitioner. The petitioner has never made any demand of dowry from the deceased. The petitioner is in custody since 14.05.2025 and has got no criminal antecedent.

5. Learned APP for the State and learned counsel for the informant have vehemently opposed the prayer for grant of bail to the petitioner and submitted that there is specific allegation levelled against the husband of committing murder of the deceased for non-fulfillment of dowry. It is next submitted that the informant and other witnesses have supported the prosecution case in paragraph nos. 5, 9 and 10 of the case diary. It is further submitted that as per post-mortem report, cause of death of the deceased has been opined as asphyxia as a result of hanging. Further the petitioner is husband of the deceased and, therefore, onus lies upon him to explain the cause of death. Hence, the petitioner does not deserve the privilege of bail.

6. Considering the aforesaid facts and circumstances of the case, nature of accusation and the gravity of the offence, this Court is not inclined to grant bail to the petitioner.



7. The prayer is rejected. The trial Court is directed to expedite the Trial. However, if the trial is not concluded within a period of four months from the date of receipt/production, the petitioner will have liberty to renew his prayer for bail in the Court below.

(Rudra Prakash Mishra, J)

Rajorshi/-

U		T	
---	--	---	--

