

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59031 of 2024

Arising Out of PS. Case No.-143 Year-2016 Thana- PARSABAZAR District- Patna

Golu Thakur @ Raj Kumar @ Golu kumar S/o- Shatrudhan Thakur R/o-
Shekhpura Bind Toli Ps- Parsa Bazaar Dist-Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Baleshwar Thakur son of Late Bengali Thakur Village- Dudhaila Ps- Maner
Dist- Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Rahul Kumar
For the Opposite Party/s	:	Mr.Arun Kumar

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 28-08-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks bail in connection with Parsa
Bazar P.S. Case No. 143/2016 registered for the offence punish-
able under Sections 304(B)/34 of the Indian Penal Code and ¾
of the D.P. Act.

3. The petitioner is the husband of the deceased. It is
said that he has killed his wife for dowry.

4. The following statement has been made in para-
graph No. 10 of the petition:-

*“That true fact is that out of wedlock a
mentally challenged kid was born and due to same*



the said deceased become very much annoyed with all family members of the petitioner. The said kid still living with his old grandfather and grandmother and neither informant nor any in-laws even took pain to see the condition of the aforesaid kid. It is pertinent to mention here that except this petitioner no one is there who took proper care of aforesaid kid because mother and father is also very old aged about 70 years.”

5. It has been submitted by the learned counsel for the petitioner that the deceased committed suicide as a child born to her i.e. the son of the petitioner is mentally challenged. The petitioner being the father and having old parents was looking after his mentally challenged child and therefore, he could not surrender on time. He is in jail since 28.11.2023.

6. The petitioner has not annexed document with regard to the mental condition of his child or in support of the fact that the child is mentally challenged.

7. This application is disposed of with a direction to the trial Court / Court below to verify the documents of the treatment of the son of the petitioner and if the Court below finds that the son of the petitioner is mentally challenged then the petitioner



shall be released on bail and if the petitioner is not able to produce any document then the child shall be examined by the specialist doctor of Department of Psychiatry at Patna Medical College and Hospital, Patna and if they find that the son of the petitioner is mentally challenged **then his bail bonds shall be accepted.**

(Sandeep Kumar, J)

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