

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5602 of 2025

Arising Out of PS. Case No.-388 Year-2024 Thana- CHAPRA TOWN District- Saran

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Laxman Kumar @ Lakshman Singh @ Laxman Kumar Singh @ Lakshuman
Kumar Singh S/o- Lalbabu Singh Village- Bichla Telpa P.S-Chapra Town
District -Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rakesh Kumar, Adv.

For the Opposite Party/s : Mr. Satyendra Narain Singh, APP

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 09-05-2025 Heard Mr. Rakesh Kumar, learned Advocate for the

petitioner and Mr. Satyendra Narain Singh, learned Additional

Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection
with Chapra Town P.S. Case No. 388 of 2024, registered for the
offences punishable under Section 304(B) of the Indian Penal
Code.

3. The prosecution alleges that there was a love affair
between the deceased and the petitioner and after much
persuasion, their marriage was solemnised. However, soon after
the marriage, the victim was subjected to demand of dowry and
on account of non-fulfillment of the same, she was done to
death. It is further alleged that on 15.06.2024 at about 05:00



AM, the informant received information from her daughter's mobile that the condition of her daughter was critical and she was being taken to the Sadar Hospital. On the afore noted information, the informant rushed to the hospital, however, she did not find her daughter and further came to know that the dead body of the daughter was taken for cremation. They rushed to the place of cremation and found the ligature mark on the neck of the daughter of the informant. Suspicion has been raised that the deceased was killed by strangulating her by means of rope.

4. Learned Advocate for the petitioner taking this Court through the FIR contended that it is the admitted position that both the deceased and the petitioner were in love and finally solemnised marriage. In fact, on account of non acceptance of their affair, both the petitioner and the deceased left the native place and settled at Surat. On information given by the family members regarding the marriage of the elder brother of the petitioner, both of them came there. On the fateful night of 14/15.03.2024, the petitioner on being found some indecent photograph of his wife in the mobile of one *Ajay Kumar*, shown his displeasure and some dispute has arisen between the husband and wife. The deceased on being found not in a position to tackle the situation, on a fit of rage, committed



suicide. Learned Advocate for the petitioner taking this Court through Annexure-3 has further contended that the afore noted statement also fortified for the reason that the petitioner has also instituted a complaint against all the persons, who were indulged in getting the indecent photograph of his wife viral due to which his wife had been compelled to commit suicide. It is lastly contended that though the petitioner happens to be husband of the deceased but he was not involved, in any manner, in the death of his wife.

5. On the other hand, learned APP for the State vehemently opposes the bail application and submits that though during the course of investigation, some of the witnesses have supported the statement of the petitioner that the deceased committed suicide; however the complicity of the petitioner cannot be ruled out as the petitioner being the husband of the deceased, he was also instrumental in compelling her to commit suicide. However, learned Advocate for the State fairly contended that even if there is no ingredients of Section 304B of the Indian Penal Code but there is ample ingredients which constitute an offence under Section 306 of the Indian Penal Code.

6. Regard being had to the submissions made on



behalf of the parties and considering the materials collected during the course of investigation which suggests that on the fateful day on account of some dispute between the husband and the wife, the wife committed suicide at the fit of rage, and there had never been any demand soon before the occurrence, couple with the post mortem reprot which prima facie suggests a case of hanging, let the petitioner abovenamed be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Saran at Chapra in connection with Chapra Town P.S. Case No. 388 of 2024, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023, with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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