

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5053 of 2025

Arising Out of PS. Case No.-54 Year-2024 Thana- BAUNSI District- Araria

Abdul Wadood @ Abdul Badud Son of Md. Jalal Resident of Village -
Surhaghat, Dimia, P.S. - Jalalgarh, District - Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal, Sr. Advocate
	:	Dr. Bidhu Ranjan, Advocate
	:	Ms. Diksha Kumar, Advocate
	:	Mr. Kumar Rajdeep, Advocate
For the Opposite Party/s	:	Mr. Ram Priya Sharan Singh, APP

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

ORAL ORDER

3 28-04-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Baunsi
P.S. Case No. 54 of 2024 instituted for the offences under
Sections 304B, 302/34 of the Indian Penal Code.

3. Prosecution case, in short, is that the petitioner
alongwith other accused persons, tortured and killed the
deceased for the non-fulfillment of demand of dowry.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case.
Petitioner is not named in the F.I.R. The name of the petitioner
transpired in this case during investigation on the basis of CDR.



Learned counsel further submitted that petitioner is not the family member of the in-laws of the deceased. No specific overt act is alleged against the petitioner. Learned counsel further submitted that, police, after investigation submitted charge-sheet against the petitioner under Sections 306/34 of the I.P.C. Learned counsel further submitted that, as a matter of fact, the deceased herself committed suicide when her illicit relationship with the petitioner was exposed to her husband and other family members. Learned counsel further submitted that as per material available in the case diary, the deceased was in touch with the petitioner which is evident from the Call Detail Records but he never instigated the deceased to commit suicide and therefore, Section 306/34 of the IPC is not attracted against him. Learned counsel further submitted that as per post-mortem report, except ligature mark on the neck of the deceased, no external injury was found and the death of the deceased was caused as a result of asphyxia due to hanging. Learned counsel further submitted that petitioner is separate in mess and business and has got no concern in the family affairs of the deceased and her husband. It has been submitted on behalf of the petitioner that the petitioner is in custody since 29.10.2024 and has no criminal antecedent.

5. Learned A.P.P. for the State has vehemently



opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, there being no cogent material to prove that this petitioner instigated the deceased to commit suicide as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Baunsi P.S. Case No. 54 of 2024.

(Rudra Prakash Mishra, J)

Alok Verma/-

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