

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8868 of 2025

Arising Out of PS. Case No.-61 Year-2024 Thana- Mufassil District- Khagaria

Gautam Kumar Son of Gurudev Yadav Resident of Village- Bari Kothiya, PS
-Muffasil, District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Amar Kumar Singh, Advocate
For the Opposite Party/s	:	Mrs. Renu Kumari, APP
For the Informant	:	Mr. Siddhartha Prasad, Advocate

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

ORAL ORDER

4 24-06-2025 Heard learned counsel for the petitioner, learned
APP for the State, learned counsel for the informant and perused
the case diary.

2. The petitioner seeks bail in connection with
Muffasil P.S. Case No. 61 of 2024, instituted for the offences
punishable under Sections 304-B and 34 of the Indian Penal
Code.

3. The prosecution case, in short, is that, the petitioner
along with other family members tortured and killed the
deceased 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 submits that the



petitioner is husband of the deceased. No specific allegation has been attributed against the petitioner, rather the same is general and omnibus in nature. It is next submitted that the deceased has committed suicide and the matter was duly informed to the family of the deceased. The petitioner has neither demanded any dowry nor tortured the deceased. The petitioner is in custody since 31.05.2024 and has got no criminal antecedent. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted regular bail by this Court vide order dated 11.11.2024 passed in Cr. Misc. No. 78888 of 2024.

5. Learned APP for the State and learned counsel for the informant have vehemently opposed the prayer for grant of bail to the petitioner. Learned counsel for the informant submits that only one witness has been examined in this case till now and the trial is in progress. Hence, the petitioner does not deserve the privilege of bail.

6. Considering the aforesaid facts and circumstances of the case and taking into account 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/- (Rupees Ten Thousand) with two



sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Muffasil P.S. Case No. 61 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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