

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11354 of 2025

Arising Out of PS. Case No.-217 Year-2023 Thana- AURAI District- Muzaffarpur

Rajesh Rai @ Rajesh Kumar S/o Late Jainarayan Rai R/o vill - Hanuman
Nagar, P.S.- Aurai, Distt.- Muzaffarpur (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal, Sr. Adv. Mr. Deepak Kumar, Adv. Mr. Kumar Rajdeep, Adv.
For the Opposite Party/s :		Mr. Ajit Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

5 06-08-2025 Heard the parties.

2. The petitioner seeks bail in connection with Aurai P.S. Case No. 217 of 2023 registered for the offence under Sections 498(A) 306, 34 of the I.P.C.

3. The petitioner is named in the F.I.R. and is in custody since 19.11.2024.

4. The allegation against the petitioner is to commit murder of daughter of informant after about 14 years of their marriage. Petitioner is the husband of the deceased.

5. Mr. N.K. Agrawal, learned senior counsel



appearing on behalf of the petitioner submitted that it is a case of suicide as it transpired from the statement of children of deceased as recorded under Section 161 of Cr.P.C. which are available in para no. 10, 11 and 12 of case diary, however, he fairly conceded that cause of death as per *post-mortem* report is *ante-mortem* strangulation. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and moreover, investigation of this case is completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

6. Learned APP duly assisted by Mr. Hari Kishore Thakur learned counsel for the informant while opposing bail submitted that it is a case of brutal murder as it appears from the *post-mortem* report of the deceased as she was strangled to death and giving the color to the occurrence as suicide dead body was hanged from ceiling and for aforesaid confusion initially the FIR was lodged under Section 306 of IPC but subsequently taking note of



post-mortem report charge-sheet was submitted under
Section 302 of IPC.

7. Considering aforesaid factual submission and
by taking note of fact as *post-mortem* report suggest that
daughter of the informant, who is also the wife of
petitioner strangled to death within four corner of the
house occupied by them, coupled with the fact that
progress of trial is satisfactory as total of 6 prosecution
witnesses were examined already, accordingly, the
present bail petition of petitioner stands **rejected**.

Sudha/-

(Chandra Shekhar Jha, J)

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