

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15635 of 2025

Arising Out of PS. Case No.-108 Year-2024 Thana- Piplawa District- Patna

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Prem Kumar @ Rakesh Kumar Son of Ajay Saw @ Ajay Sah Village-
Adampur Piplawan PS -Piplawan District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Shailendra Kumar Singh, Adv Ms. Kumari Rashmi, Adv Mr. Deepak Kumar, Adv
For the Informant	:	Mr. Rabish Kumar, Adv Mr. Adarsh Gaurav, Adv Mr. Abhinav, Adv
For the Opposite Party/s	:	Mrs. Meena Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

4 23-06-2025 Heard learned counsel for the petitioner and learned

counsel for the informant as well as learned Additional Public

Prosecutor for the State.

2. The petitioner seeks regular bail in a case registered

for the offences punishable under Sections 103(1) read with

Section 3(5) of the B.N.S.

3. As per the prosecution case, the marriage of the

daughter of the informant was solemnized with Prem Kumar
(Petitioner) and they were residing at their separate house. It is

further alleged that due to dispute of Rs. 10,00,000/-, which was



kept with the deceased (daughter of the informant), the petitioner along with other named accused persons killed the daughter of the informant and falsely informed the police that she had hanged herself.

4. Learned counsel for the petitioner submits that the petitioner happens to be the husband of the deceased and has falsely been implicated in this case. It is further submitted that the petitioner had performed love marriage with the deceased and thereafter, they were living separately. It is next submitted that police during the course of investigation, has recorded the statements of various witnesses who have disclosed that there was no dispute between the deceased and the petitioner. Learned counsel has further drawn the attention of this Court toward the post-mortem report which shows the cause of death due to asphyxia as a result of hanging. It is also submitted that the charge sheet has already been submitted against the petitioner under Section 108/ 3(5) of the B.N.S. It is lastly submitted that the petitioner has clean antecedent and is in custody since 14.08.2024.

5. Learned counsel for the informant as well as learned A.P.P. for the State has opposed the prayer for bail of the petitioner and has submitted that the petitioner along with other



co-accused persons are alleged to have killed the daughter of the informant. Learned counsel for the informant points out towards the post-mortem report, wherein, one of the injuries is stated to have been caused by hard and blunt substance. It is further stated that the petitioner being the husband of the deceased should not be released on bail.

6. Considering the aforesaid facts and circumstances of the case and also considering the period of custody, let the petitioner above-named be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Patna, in connection with Piplawan (Pitwas) P.S. Case No. 108 of 2024, subject to the conditions :-

(i) One of the bailors will be close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the Court below, if so required by the learned Trial Court.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be canceled by the Court concerned.

(iv) The learned Court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be



delayed for purpose of or in the name of verification.

7. The application stands allowed.

(Sourendra Pandey, J)

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