

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16524 of 2025

Arising Out of PS. Case No.-97 Year-2024 Thana- Fekla District- Darbhanga

Govind Jha S/o- Umesh Jha, Resident of Village- Kamalpur, Police Station-
Fekla District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Nilendu Kumar Choudhary, Adv.
For the Opposite Party/s	:	Mr. Satyendra Narayan Singh, APP
For the Informant	:	Mr. Shashi Ranjan Kumar, Adv.
		Mr. Rohit Priyadarshi, Adv.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 13-05-2025 Heard Mr. Nilendu Kumar Choudhary, learned
counsel for the petitioner and Mr. Satyendra Narayan Singh,
learned APP for the State. The informant *suo motu* entered his
appearance through Mr. Rohit Priyadarshi, learned counsel.

2. The petitioner apprehends his arrest in connection
with Fekla P.S. Case No. 97 of 2024 registered for the offences
punishable under Sections 126(2), 115, 352, 103(1), 85, 80 and
3(5) of the BNS, 2023.

3. Based upon the written report, the prosecution
alleges that the marriage of the sister was solemnized with the
petitioner in the year 2016, on account of their love affairs. The
couple also blessed with two children and they were living
properly in *sasural*. Nonetheless, when the informant and his
family went to meet her, the accused persons did not allow him and
his family; and they abused and driven them away. They did not



even allow the victim to talk to the informant on his mobile. Even when the father of the victim died, the accused persons did not allow the victim to attend the cremation and *shradh*. It is further alleged that two months ago, the victim's child died in suspicious manner and later on all the accused persons in collusion with each other also killed the deceased by strangulating her.

4. Learned counsel for the petitioner taking this Court through the FIR contended that it is the admitted fact that there was love affair between the petitioner and the deceased, which resulted into marriage. It is also, the admitted position that both the husband and wife were living peacefully and two children were also borne out of the wedlock. In fact, on account of death of one of the child, with whom the deceased was very attached, the deceased could not faced such trauma and committed suicide. The aforesaid fact also stands corroborated by the postmortem report, which suggests that the death was due to Asphyxia as a result of hanging. There is no mark of any external or internal injuries on any part of the dead body. In eight years of marriage, there had never been any allegation of demand of dowry or chit of paper, which suggest that the victim was tortured in any of the manner but only after death of the victim, the informant in order to wreak vengeance has instituted the present case. However, good sense prevailed and now the



informant filed a petition before the jurisdictional court stating the true facts that his sister had committed suicide because of the unfortunate demise of her little son.

5. The aforesaid contention of the petitioner has also been supported by the learned counsel for the informant. However, the prayer for bail of the petitioner has vehemently opposed by the learned counsel for the State.

6. Regard being had to the submissions made on behalf of the parties and considering the submissions advanced by the learned counsel for the petitioner as also the postmortem report, apart from the fair antecedent, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 20,000/- (Twenty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Darbhanga in connection with Fekla P.S. Case No. 97 of 2024, subject to the condition as laid down under Section 482(2) of the BNSS, with further following condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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