

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22270 of 2025

Arising Out of PS. Case No.-111 Year-2024 Thana- GURARU District- Gaya

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Raju Kumar @ Raju Yadav S/o- Late Kameshwar Yadav Village- Aliganj, Ps-
Guraru, Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar Singh, Advocate

For the Opposite Party/s : Ms. Renu Kumari, APP

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

ORAL ORDER

5 18-07-2025 Heard learned counsel for the petitioner and learned APP
for the State. Perused the case diary.

2. The petitioner seeks bail in connection with Guraru
P.S. Case No. 111 of 2024 instituted for the offences under
Sections 103, 238 and 3(5) of the Bharitya Nyaya Sanhita, 2023.

3. As per prosecution case, the informant alleged that
her *Nanad*, Anita Devi, was suspiciously cremated without
informing her family. Upon reaching the cremation ground, she
found the body being burnt and informed the police, who
recovered the partially unburnt remains for postmortem. She
accused the petitioner and others for murder of Anita Devi
(deceased).

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case for his no fault. The petitioner is the husband of the deceased. Learned counsel for the petitioner submits that the deceased has died her natural death for which the informant and her family members were properly informed by the family member of the petitioner as the petitioner was not present in the house. Learned counsel for the petitioner further submits that the petitioner was not present in his house on the date and time of the alleged occurrence and has been falsely implicated in the present case because of his being the husband of the deceased. The petitioner or his family members has never tortured the deceased either physically or mentally for the dowry demand. He further submits that in the entire record of the case, there is not an iota of evidence which shows the complicity of the petitioner in the alleged occurrence. There is no direct or specific allegation of any overt act against the petitioner rather the same is general and omnibus in nature. The petitioner has no concern with the alleged occurrence. The petitioner has no criminal antecedent and is languishing in judicial custody since 19.10.2024 without any rhymes or reason.

5. Learned counsel for the petitioner again submits



that the co-accused namely Satendra Yadav has been granted bail by this Court vide order dated 08.07.2025 passed in Cr. Misc. No. 16898 of 2025.

6. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner, stating that the offence alleged is serious in nature and the petitioner is the husband of the deceased.

7. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case, the period of custody of the petitioner, there being no direct allegation against the petitioner as also the prayer for bail being based on parity, let the petitioner, abovenamed, be released on bail, *after framing of charge if not already framed*, 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 Guraru P.S. Case No. 111 of 2024, subject to the following conditions;

(i) One of the bailor(s) shall be the own/close family members of the petitioner.

(ii) The petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and



in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(Rudra Prakash Mishra, J)

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