

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23365 of 2025

Arising Out of PS. Case No.-215 Year-2024 Thana- AMAS District- Gaya

Mukesh Chaudhary @ Mukesh Kumar S/o Rajdeo Chaudhary R/o Vill.-
Banahi, P.S.- Amas, Distt.- Gaya, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar, Advocate

For the Opposite Party/s : Mr.Dashrath Mehta, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 01-05-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Amas P.S. Case No. 215 of 2024, registered for the offences under Sections 80, 61(2), 3(5) of the B.N.S.

3. As per the prosecution case, the daughter of the informant was married with the petitioner and she died in her matrimonial home during seven years of her marriage. The informant alleged that there has been demand of a vehicle and a ring and as she could not fulfill the demand, the petitioner and other co-accused persons strangled her daughter to death.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The deceased was a quarrelsome lady and she used to quarrel with her husband over trivial



matters. In a fit of anger, she consumed poison on a vacant land of one of the villager and the investigating officer seized a packet of poison and its solution in a plastic glass with stained earth and sent it for chemical examination to F.S.L., Patna. Further, the opinion about cause of death has been reserved in the post mortem till receipt of F.S.L./Histopathological Examination. The post mortem report also says there was no external injury on any part of the body of the deceased including her neck. This shows the deceased was not subjected to any physical assault not she was strangled. The petitioner and other co-accused persons used to stay at different places still the informant named them in this case in order to harass them. Learned counsel further submits that the deceased and the petitioner had two children and there was no occasion for demanding any dowry. It is a case of suicide and there has been no dowry demand and no dowry death. The petitioner is in custody since 13.07.2024 and out of nine charge sheeted witnesses only one witness has been examined and there is no likelihood of early conclusion of trial. Learned counsel for the petitioner further submits that the petitioner is accused in three cases including two cases filed under Section 498A of the Indian Penal Code, but the petitioner used to bring the deceased after



compromise and she used to leave her matrimonial home for her parental home after quarrel.

5. Learned A.P.P. appearing for the State opposes the submission made on behalf of the petitioner. Learned A.P.P. submits that petitioner is husband and the death of the daughter of the informant occurred within seven years of marriage in the house of the petitioner.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the post mortem report and doubtful nature of allegation against the petitioner and further considering his period of custody and likely delay in trial, the petitioner is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned A.D.J.-II, Sherghati, Gaya/concerned court, in connection with Amas P.S. Case No. 215 of 2024, subject to the condition laid down under Section 480(3) of the B.N.S.S. and other following conditions:

(i) One of the bailors will be a 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 three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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