

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25275 of 2025

Arising Out of PS. Case No.-190 Year-2024 Thana- MOHIUDDIN NAGAR District-Samastipur

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Priyaranjan Kumar @ Nilu @ Priyranjan Kumar, son of Rakesh Kumar Rai
@ Rakesh Kumar Ray @ Rakesh Ray, Resident of village-Mogalchak, P.S.-
Mohiuddinnagar, District-Samastipur

... .. Petitioner

Versus

1. The State of Bihar
2. Rahul Kumar, S/o Sri Akhilesh Ray, Resident of village-Mogalchak, P.S.-
Mohiuddinnagar, District-Samastipur

... .. Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Abhay Shanker Singh, Advocate
For the Opposite Party/s : Mr. Navin Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 28-07-2025 Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State.

2. The accused/petitioner seeks bail in connection

with Mohiuddinnagar P.S. Case No.190 of 2024 registered for

the offences punishable under Sections 103(1) and 64 of the

Bhartiya Nyay Sanhita (in short 'B.N.S.').

3. The accused/petitioner is named in the FIR and is

in custody since 14.08.2024.

4. Allegation against the petitioner is to commit

murder of the wife of the informant.

5. It is submitted by learned counsel that the



petitioner has been implicated falsely by informant to save himself and his parents for the simple reason that his wife committed suicide in her matrimonial home. It is submitted that the house of petitioner is located in front of the house of informant and he is regular visitor to his house out of acquaintance and neighbourhood. It is submitted that petitioner is also relative of the informant. Learned counsel pointed out that out of family frustration, the wife of petitioner committed suicide and same also appears corroborated from the postmortem report, where cause of death was found as '**asphyxia due to hanging**'. It is submitted that suspicion of rape was also raised but, upon postmortem, which conducted within 24 hours of the occurrence, no such sign was found upon, *prima facie* negating allegation of rape upon deceased. Travelling further, it is submitted by learned counsel that on three different exhibits i.e. Exhibit- D, E and F, which are dirty torn red colour curtain, old dirty printed saree with yellow flower, old dirty multi-colour pillow, no blood-stains were detected, which suggest *prima facie* that it was not a case of strangulation,



having so, there must be blood on saree or pillow rather blood was found upon dirty white wire, which is Exhibit-'A', dirty red and black wire, which is Exhibit-'B' and old dirty charger cable, which is Exhibit-'C' suggesting that it was a case of suicide by using the cable available with victim. It is submitted that at the time of occurrence, the informant admittedly available at his work place, somewhere in Hyderabad and he talked with victim over phone, when she returned from bank with petitioner on motorcycle, over some financial issues, which forced her for such extreme steps. While concluding argument, it is submitted that investigation of this case is already completed, for which, charge-sheet has been submitted and, as such, there is no chance of tampering with the evidence and moreover the petitioner is a man of clean antecedent.

6. Learned APP opposed the prayer for grant of bail to the petitioner.

7. In view of aforesaid factual submissions and by taking note of fact as the informant is not the eye-witness of the occurrence, where entire suspicion raised out of



acquaintance, coupled with the fact that postmortem report suggest the death out of hanging having no sign of rape and moreover, the investigation of this case is already completed, where petitioner is in custody since 14.08.2024, accordingly, the petitioner, above-named, is directed to be released on bail furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned District and Additional Sessions Judge-cum-Exclusive Special Judge (Rape and POCSO) in connection with Mohiuddinnagar P.S. Case No.190 of 2024, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure (for short ‘CrPC’)/under Section 480(3) of the Bhartiya Nagrik Suraksha Sanhita (for short ‘BNSS’).

(Chandra Shekhar Jha, J.)

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