

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28420 of 2025

Arising Out of PS. Case No.-178 Year-2024 Thana- DEV District- Aurangabad

Mukesh Kumar @ Mukesh Kumar Bhuiyan S/o Kail Bhuiyan R/o Village and P.O.- Bedhani, P.S.- Deo, District- Aurangabad (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uma Kant Mishra, Advocate
For the State : Mr. Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

4 02-09-2025 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Deo P.S. Case No. 178 of 2024 registered for the offence punishable under Section 103(1) of the Bharatiya Nyaya Sanhita.

3. The petitioner is the husband of the deceased. He is alleged to have killed the deceased.

4. The petitioner is in custody since 15.09.2024.

5. Learned counsel for the petitioner submits that the post-mortem has been done but the opinion has been reserved. He further submits that this is not a case of murder but a case of suicide as the petitioner and the deceased had fought over the girlfriend of the petitioner. The petitioner also submits that the petitioner has two children born out of the wedlock of the



deceased and both the children are staying with the family of the petitioner.

6. Learned APP has opposed the prayer for bail.

7. I have considered the submissions of the parties.

8. From the FIR, it appears that the deceased and the petitioner had fought over the girlfriend of the petitioner and thereafter, the deceased committed suicide. There is no anti mortem injury on the dead body of the deceased. There is no abrasion on the neck of the deceased to show that the neck of the deceased was pressed by the petitioner due to which she died.

9. In view of the above, this application is allowed.

10. Let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge 7th Aurangabad (Bihar)/ concerned Court in connection with Deo P.S. Case No. 178 of 2024, subject to the condition that the petitioner will co-operate in the trial.

11. At the time of furnishing bail bonds, the Court below will verify the factum of the two children staying with their grandparents and if the statement is found true, the bail



bonds of the petitioner shall be accepted. If the statement is found false, the bail bonds of the petitioner shall not be accepted.

(Sandeep Kumar, J)

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