

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27078 of 2025

Arising Out of PS. Case No.-1 Year-2024 Thana- BANDHUWA KURAWA District- Banka

Rupesh Das @ Rupesh Kumar Das, (Male), aged about 27 years, S/o Ratan Das, R/o Village- Gokula, P.S.- Bandhua Kurawa, District- Banka

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Praveen Kumar, Advocate
For the Informant	:	Mr. Akash Kumar Mishra, Advocate
For the Opposite Party	:	Mr. Akshay Lal Pandit, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 10-07-2025 Heard learned counsel for the petitioner, learned counsel for the informant and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Bandhua Kurawa P.S. Case No. 01 of 2024 dated 05.01.2024 registered for the offences punishable under Sections 147, 148, 149, 304B of the I.P.C. and Section 3/4 of the D.P. Act.

3. As per the prosecution case, the petitioner and the other accused persons are alleged to have tortured the informant's daughter mentally and physically and killed her due to non-fulfilment of demand of Rs. 3,00,000/- as dowry.

4. Earlier prayer for bail of the petitioner was rejected in Cr. Misc. No. 341123 of 2024 vide order dated 18.09.2024, annexed as Annexure-P/1 to the present bail petition.



5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in the present case. The petitioner neither demanded any dowry nor tortured the deceased. The petitioner is the husband of the deceased. It is further submitted that the suicide note of the deceased was seized which is mentioned in paragraph no. 33 of the case diary in which she had written that she is committing suicide herself and none of her family members or her in-laws family are responsible for the same. It is further submitted that in fact, the deceased was in love affair with another boy of her parental house and she wants to get married with him but her family members forcibly married the deceased with the petitioner and thus the deceased out of frustration committed suicide. It is further submitted that the police after investigation, submitted charge sheet under Section 306 read with Section 34 of the I.P.C. and not under Section 304B of the I.P.C. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail application. The petitioner is in custody in this case since 06.01.2024.

6. Learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the prayer for bail petition of the petitioner and submitted that the petitioner is the



husband of the deceased. As per the postmortem report, various ante-mortem injuries were found on the body of the deceased and as per the opinion of the doctor, cause of death is asphyxia due to various injuries caused by ligature strangulation.

7. Considering the aforesaid facts and circumstances of the case as well the period of custody, let the above named petitioner, be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned District and Additional Sessions Judge (D.A.S.J.)-V, Banka in connection with Sessions Trial No. 306 of 2024, arising out of Bandhua Kurawa P.S. Case No. 01 of 2024.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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