

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27916 of 2025

Arising Out of PS. Case No.-281 Year-2024 Thana- BARAUNI District- Begusarai

Fulen Rajak @ Fulo Rajak S/o Laddulal Rajak R/o Village- Singdaha, P.s.-
Barauni, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bipin Kumar, Adv.
For the Opposite Party/s : Mr.Raj Ballabh Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 07-05-2025 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 Barauni P.S. Case No. 281 of 2024, registered for the offences under Sections 103(1), 3(5) of the B.N.S.

3. As per the prosecution case, the sister of the informant was married with the petitioner and they have three daughters out of this wedlock. Further allegation against the petitioner and other co-accused persons is that of taunting the sister of the informant and torturing her and also asking her to bring money from her parents and brother. Subsequently, the petitioner and other co-accused persons killed the sister of the informant and informed the informant that his sister committed suicide by hanging herself.



4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. No occurrence as alleged has ever taken place and it is not believable that if the petitioner would kill his wife, he would inform the informant. The post mortem report shows that the death occurred due to asphyxia due to hanging. It also appears that the death did not occur within seven years of marriage. Learned counsel further submits that the petitioner has no criminal antecedent and he is in custody since 22.11.2024 and charge sheet has been submitted.

5. Learned A.P.P. appearing for the State vehemently opposes the submission made on behalf of the petitioner. Learned A.P.P. submits that the post mortem report shows death has been caused due to asphyxia and that might have occurred due to throttling. But he concedes that no such finding has been recorded in the rejection order as the rejection order mentions that by the post mortem report it appears that the cause of death is due to asphyxia as a result of hanging.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the suspicious nature of cause of death and also considering the clean antecedent of the petitioner, submission of charge sheet



and period of custody, 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 C.J.M., Begusarai/concerned court, in connection with Barauni P.S. Case No. 281 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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