

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32896 of 2025

Arising Out of PS. Case No.-126 Year-2024 Thana- KOCHADHAMAN District- Kishanganj

Nadir @ Md Nadir S/O Md Muslim R/O Haldikhora, P.s.- Kochadhaman,-
District Kishanganj

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, Adv

For the Opposite Party/s : Mr. Rita Verma, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 27-05-2025 Heard learned Counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Kochadhaman P.S. Case No. 126 of 2024 registered for the offences punishable u/s 103(1), 80(2), 3(5) of the B.N.S.

3. As per the prosecution case, the daughter of the informant was married to the petitioner around a year ago and due to physical and mental torture by her in-laws, her daughter had been living with the informant at her maika for the last two months. On 13.07.2024, the informant was out of the house and when she came back, she saw her daughter hanging. It is further alleged that the petitioner along with other co-accused persons had murdered her daughter.



4. Learned counsel for the petitioner has submitted that the petitioner happens to be the husband of the deceased and has falsely been implicated in this case. It is further submitted that the daughter of the informant was living with the petitioner at her *maika* and as per the post-mortem report, it is evident that the cause of death is due to asphyxia and shock as a result of hanging. It is lastly submitted that the petitioner has no criminal antecedent and is in custody since 07.01.2025.

5. Learned APP for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid submissions of the parties and taking into account the fact that the petitioner was living with the daughter of the informant at his in-laws' place and cause of death is found to be asphyxia due to hanging and also considering the period of custody, let the petitioner, above-named, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Kishanganj in connection with Kochadhaman P.S. Case No. 126 of 2024, subject to the following conditions:-

(i) One of the bailors will be 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 two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be canceled by the Court concerned.

(iv) If the petitioner is found involved in similar nature of offence in future, the prosecution will be at liberty to move for cancellation of his bail bond.

(v) The learned Court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

7. The application stands allowed.

(Sourendra Pandey, J)

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