

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37515 of 2025

Arising Out of PS. Case No.-40 Year-2025 Thana- KUCHAIKOTE District- Gopalganj

Harendra Mishra @ Harendra Kumar Mishra, Male, aged about 56 years, S/o
Late Kedar Mishra @ Kedar Nath Mishra, resident of village- Dayaram
Mathiya, PS- Kuchaikote, Distt.- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 18-06-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks bail in connection with
Kuchaikote PS Case No.40 of 2025 dated 31.01.2025, instituted
for the offence punishable under Sections 69, 108 and 3(5) of
the *Bharatiya Nyaya Sanhita*, 2023.

3. The prosecution case, in brief, is that the sister of
the informant, Kajal Mishra, was having love affairs with Suraj
Mishra, who is the son of the petitioner, for the last three years
and she became pregnant owing to physical relation with Suraj
Mishra. It is alleged that the petitioner and his family members
gave some medicine to Kajal Mishra due to which there was
miscarriage. It is further alleged when the mother and sister of



the informant insisted for marriage of Kajal Mishra with Suraj Mishra, it is alleged that the petitioner and his family members demanded dowry. The mother of the informant somehow gave rupees two lakh fifty thousand to the petitioner and his family members but they did not become ready for marriage and demanded more dowry and asked them to come to their house to talk with regard to marriage. Then, on 30th January, 2025, the mother and sister of the informant went to the house of the accused persons and the accused persons kept them in deception and gave poison to both of them. When their condition deteriorated, they were brought to hospital by other persons on getting such information and thereafter both the mother and sister of the informant died.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Further submission is that there was love affairs between Suraj Mishra, who is the son of the petitioner and Kajal Mishra due to which mother of Kajal Mishra was insisting for marriage of Suraj Mishra (petitioner's son) with Kajal Mishra, but on account of some misconception they committed suicide. It is also submitted that on the alleged date of occurrence the mother and sister of the informant was trying to enter into the house of



the petitioner and when the door was not opened by the daughter-in-law of the informant they threatened to commit suicide by administering poison which they were carrying with them if the door would not be opened. It is also submitted that it is not a case of murder, rather, it is a case of suicide and the petitioner is unfortunate father of Suraj Mishra. There is no material on record to show that the petitioner had any role in the suicide committed by the deceased. It is also submitted that the petitioner was not present at the time of occurrence, Lastly, it is submitted that the petitioner is in custody since 01.02.2025 having clean antecedents and charge-sheet has been submitted in the case.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the CJM, Gopalganj, in Kuchaikote PS Case No.40 of 2025.

7. The application stands allowed.

(Khatim Reza, J)

J. Alam/-

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