

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36730 of 2025

Arising Out of PS. Case No.-3 Year-2025 Thana- BHAGWANPUR District- Begusarai

Rakesh Kumar @ Rupesh Kumar Son of Rajesh Tanti Resident of Village-
Bhagwanpur PS- Bhagwanpur District -Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madhav Kumar, Advocate

For the Opposite Party/s : Mr. Harendra Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 18-08-2025 Heard learned counsel for the petitioner and learned APP
for the State. Perused the case diary.

2. The petitioner seeks bail in connection with
Bhagwanpur P.S. Case No. 03 of 2025 instituted for the offence
under Sections 80(2) & 3(5) of the Bharatiya Nyaya Sanhita,
2023.

3. The informant alleged that his 25-year-old daughter
was murdered by her in-laws after being assaulted and forcibly
given a poisonous *Selphos* tablet. The motive behind the killing
was both dowry demands and her knowledge of illicit relations
between family members.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 21-01-2025. Petitioner



bears no criminal antecedent, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Petitioner is the husband of the deceased. There is no specific allegation against the petitioner, rather allegation is general and omnibus in nature. From perusal of the FIR, it would manifest that there is no allegation of demand of dowry prior to the present occurrence. There is delay of two days in lodging the FIR. As per postmortem report, cause of death is not ascertained and vicera report is preserved.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner and there being no cogent material against the petitioner, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail, ***after framing of charge, if not already framed***, on furnishing bail bonds of Rs. 15,000/- (Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Bhagwanpur P.S. Case No. 03 of 2025,



subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

U		T	
---	--	---	--

