

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52861 of 2025

Arising Out of PS. Case No.-93 Year-2024 Thana- KHIRI MORE District- Patna

Mukesh Kumar @ Mukesh Chaudhary S/o Somaru Chaudhary @ Samru Chaudhary (Wrongly mentioned in the impugned as Late), R/o Village-Khanpura Tari, P.S.- Khirimore, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Kumar, Advocate
For the Opposite Party/s : Mr. Uday Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 15-11-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Khirimore P.S. Case No. 93 of 2024 dated 04.05.2024 instituted for the offence punishable under Sections 306 of the Indian Penal Code.

3. The prosecution case, in short, is that the marriage of the informant's niece was solemnized with the petitioner, who used to beat her wife off and on. It is alleged that the petitioner administered poison to her wife in tea due to which she died during treatment in the hospital.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this



case. Learned counsel for the petitioner submits that the petitioner is the husband of the deceased. It is submitted that the marriage of the niece of the informant was solemnized with the petitioner 14 years back and out of the wedlock, four children were born. It is further submitted that from perusal of F.I.R., it is evident that the alleged tea has also been served by the petitioner to his children, but his children did not suffer from any complication. Real fact is that some minor altercation took place between the petitioner and the deceased, due to which she consumed poison herself. The allegation of administering poison against the petitioner is false. For the first time, after marriage, such type of allegation has been levelled against the petitioner. After investigation, police submitted charge sheet under Section 306 of the Indian Penal Code. Lastly, it has been submitted that the petitioner is in custody since 23.01.2025 having three criminal cases against him. Charge-sheet has been submitted in the case.

5. Learned A.P.P. for the State opposed the prayer for bail of the petitioner.

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 learned Judicial Magistrate, 1st
Class, Danapur in connection with Khirimore P.S. Case No. 93
of 2024.

(Khatim Reza, J)

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