

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54949 of 2025

Arising Out of PS. Case No.-156 Year-2024 Thana- LAKHISARAI District- Lakhisarai

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Gaurav Kumar S/o Bablu Singh Resident of Village - Balgudar, P.S. and District - Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arvind Kumar Singh
For the Opposite Party/s : Mr.Sanjay Kumar Sharma

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CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

4 31-10-2025 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in a case registered for the offence punishable under Section-365 of the Indian Penal Code.

3. The petitioner is husband of the deceased. According to FIR, lodged by father of the petitioner, the petitioner went for Delhi with his wife but they did not return. The dead body of the deceased (wife of the petitioner) was recovered on the basis of confessional statement of co-accused Rajo Sahani who stated that the informant and the petitioner were not happy with the deceased. They committed her murder and handed over the dead body to co-accused Rajo Sahani on 12-02-2024 for its disposal. Rajo Sahani threw the dead body in



Harohar river after tying brick with the dead body. On the basis of confessional statement, the dead body was recovered from Harohar river and postmortem was conducted on 3rd day of March, 2024. The following ante mortem injuries were found according to the postmortem report:-

- (i) generalised rigor mortis was absent.
- (ii) Whole body swells up including face. Eye was closed.
- (iii) From neck and anterior chest region both breast distorted and burn skin was present and burnt blouse partially present.
- (iv) superficial skin peel off.
- (v) not any cut wound was present.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and he has falsely been implicated in this case. According to Rajo Sahani, the dead body was handed over to him for disposal on 12-02-2024 and it was recovered on 03-03-2024 i.e. after 20 days but the doctor did not mention any kind of distortion of the dead body in the postmortem which makes the confessional statement susceptible. Learned counsel has submitted further that except the confessional statement of co-accused Rajo Sahani, there is



nothing against the petitioner, at all, in the entire case diary.

5. On the otherhand, Mr. Sanjay Kumar Sharma, learned APP has opposed the prayer for bail by submitting that the accused persons committed murder of the deceased.

6. There is nothing against the petitioner except the confessional statement which too, is susceptible as there was no sign of deformation on the dead body whereas it was recovered after 20 days of the occurrence.

7. Considering the aforesaid facts and circumstances, let the petitioner named above, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-I-cum-Special Judge, SC/ST, Lakhisarai in connection with Sessions Trial No. 34 of 2025 arising out of Lakhisarai P.S. Case No. 156 of 2024.

(Nawneet Kumar Pandey, J)

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