

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.56211 of 2025**

Arising Out of PS. Case No.-378 Year-2024 Thana- GAURICHAK District- Patna

Mahendra Rai S/o Late Ramji Rai R/o Vill- Chandasi, P.S.- Gaurichak, Distt- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Shailesh Kumar, Adv.  
For the Opposite Party/s : Mr. Ram Sumiran Rai, APP  
For the informant : Mr. Arvind Prasad Singh, Adv.

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**  
**ORAL ORDER**

3      15-11-2025                      Heard Mr. Shailesh Kumar, learned counsel for the petitioner and Mr. Arvind Prasad Singh, learned counsel representing the informant.

2. The petitioner is in custody in connection with Gaurichak P.S. Case No. 378 of 2024 for the offence punishable under sections 80, 3(5) of the BNS lodged on 26.07.2024 by the informant, Chandrakant Prasad.

3. As per the prosecution story, the informant alleged that the victim (deceased) was married to the petitioner's son, Niraj Kumar in the year 2022 but she was always tortured for dowry and on the fateful day, came to know about her killing. This led to the FIR.

4. Learned counsel for the petitioner submits that he is



the elderly father-in-law, living separately as the couple used to quarrel every time. Even the son, Niraj Kumar (presently in custody) in his statement before the Police has confessed to the crime of having used the brick which led to the death, he has no role to play in the matter and is in custody since 06.08.2024.

5. Learned counsel for the informant on the other hand opposes the prayer for bail submitting that the allegation is against all the family members and not only on the son, Niraj Kumar.

6. Considering the submissions of the parties as also the fact that the petitioner is aged 65 years, is in custody since 06.08.2024, the husband is in jail as informed by learned counsel for the petitioner, he has confessed to the crime of having assaulted the lady which led to the killing, an undertaking has been given that the petitioner shall be diligently appearing in trial, in that background, this Court is inclined to extend him the privilege of bail with conditions.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned ACJM-II, Patna City in connection with Gaurichak P.S. Case No. 378 of 2024 subject to the following conditions:



(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

**(Rajiv Roy, J)**

Vijay Singh/-

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