

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67200 of 2025

Arising Out of PS. Case No.-279 Year-2024 Thana- KONCH District- Gaya

Madhir Kumar @ Sadhu Paswan @ Mandhir Kumar S/o Shiv Paswan @ Shiv Kumar @ Shiv Kumar Paswan R/o Village - Motha, P.S - Arwal, District - Arwal

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Syed Asgher Najmi, Adv.
Mr. Ashtosh Kumar Mishra, Adv.
For the Opposite Party/s : Mr. Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

4 21-11-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has renewed his prayer for grant of regular bail in connection with Konch P.S. Case No. 279 of 2024 registered for the offence punishable under Sections 366(A), 379 of the Indian Penal Code which was earlier rejected by this Court vide order dated 21.01.2025 passed in Cr. Misc. No. 73493 of 2024 with a liberty to renew his prayer of bail after completion of custody period of six months.

3. As per the prosecution case, the daughter of the informant was living at her aunt's house, she fled away with the petitioner and they have also taken cash of Rs. 50,000/- and jewellery worth Rs. 35,000/-.



4. Learned counsel for the petitioner submits that during the course of investigation, the petitioner has given his confessional statement before the police and has stated that he has married the deceased and that he has assaulted her once, due to which she committed suicide. They were living at Ghaziabad. The peculiar facts of this case are that the case was filed at Gaya, whereas the occurrence of suicide/murder was committed at Ghaziabad. He also submits that from perusal of the postmortem report, it will transpire that the dead body was brought for postmortem by this petitioner, and from perusal of the postmortem report, it will also transpire that the reason for death is *asphyxia* due to antemortem hanging. Doctors have found ligature marks present around the neck. It has also been submitted that even if the confessional statement of the petitioner is taken as true, he has only admitted that he has assaulted her once, due to which the deceased has committed suicide, which is also supported by the postmortem report. A status report has also been called from the learned trial court, and from perusal of which it is clear that up-to-date only one prosecution witness has been examined. Petitioner is in custody since 16.07.2024.

5. Learned APP for the State has vehemently opposed



the application for regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Gaya in connection with Konch P.S. Case No. 279 of 2024.

7. Accordingly, the bail petition of the petitioner stands allowed.

(Ashok Kumar Pandey, J)

Sudhanshu/-

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