

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77458 of 2024

Arising Out of PS. Case No.-402 Year-2021 Thana- MIRGANJ District- Gopalganj

Anil Prasad @ Anil Kumar Son of Sri Luxman Prasad Resident of Village -
Mirganj, Ward No. 12, P.S. -Mirganj, District - Gopalganj

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar Sinha, Advocate

For the Opposite Party/s : Mr.Raj Kishor Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

4 20-02-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 304B/34 of the Indian Penal Code.

3. The case of the prosecution is that the daughter of the informant was married to the petitioner in the year, 2020 and on 02.12.2021, he called her mother-in-law but she did not receive then he went to ‘sasural’ of his daughter. He found that the door was closed from inside. Thereafter, he informed the police whereafter, the police came and broken the door and found that his daughter was hanged. It is further alleged that the daughter of the informant was being subjected to cruelty and she has been killed. Accordingly, the FIR.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in connection with the present case. It has been further submitted that the facts of this case is that the door was closed from inside in which the deceased was found hanging and it was opened by police. It has been further submitted that from perusal of the postmortem report, it transpires that it is a case of hanging and the cause of death is Asphyxia due to hanging. It has been further submitted that the police has found this case true under Section 306 of the Indian Penal Code but under the guidance of the Superintendent of Police, charge sheet was filed under Section 304B of the Indian Penal Code. The villagers stated before the police that the wife of the petitioner has committed suicide Moreover, the petitioner is languishing in judicial custody since 09.02.2024 having no criminal antecedent.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Considering the aforesaid facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Mirganj P.S. Case No. 402 of 2021 on furnishing bail bond of Rs.10,000/- (ten thousand) with two



sureties of the like amount each to the satisfaction of
learnedACJM, Gopalganj.

(Ashok Kumar Pandey, J)

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