

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72994 of 2025

Arising Out of PS. Case No.-226 Year-2025 Thana- SAKRA District- Muzaffarpur

Md. Ali Hussain S/o Islam Baitha @ Md. Islam R/o - Saramsthpur, P.S -
Sakra, District - Muzzafarpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Moh. Lalbabu S/o Late Moh. Pooran R/o Village - Jagdishpur, P.S -
Khanpur, District - Samastipur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ansul, Sr. Adv.
For the State	:	Mr.Parmanand Prasad, APP
For the Informant	:	Mr. Abhishek Ranjan, Adv.

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 18-12-2025 Heard Mr. Ansul, learned senior counsel for the
petitioner, Mr. Parmanand Prasad, learned APP for the State and
Mr. Abhishek Ranjan, learned counsel for the informant.

2. Petitioner seeks regular bail in connection with
Sakra P.S. Case No. 226/ 2025 dated 05.05.2025 registered for
the offence(s) punishable under Section(s) 80 of the BNS.

3. The main submissions advanced by the petitioner's
counsel are that the deceased, who happened to be wife of the
petitioner, committed suicide and in this regard, the medical
findings given in the post-mortem report with regard to the ante-
mortem injuries found on the body of the deceased are relevant
which shows only one ligature mark in the size of 11"x1" over



the neck between thyroid cartilage and the chin passing obliquely over the back of the neck and the same was possible when one commits suicide by hanging and in the post-mortem report, the concerned medical expert has opined that the deceased died due to asphyxia as a result of ante-mortem hanging which further confirms the said suicidal death. It is further submitted that an inordinate delay of nine days took place on the part of the informant in lodging the FIR despite the unnatural death of the deceased having come in the knowledge of the prosecution party on the same date of the death but regarding the said delay, no plausible explanation was given and the petitioner has been languishing in jail since 14.05.2025 and against him, the investigation has been completed.

4. On the other hand, learned counsel for the informant has vehemently opposed the bail prayer of the petitioner and submits that in the FIR itself, the delay having taken place in lodging the FIR has been explained by the informant as he was not present at the place of occurrence and was abroad at the time of his daughter's death and the deceased died within seven years of her marriage.

5. Learned APP appearing for the State has also opposed the bail prayer of the petitioner.



6. In the facts and circumstances of this case as well as considering the aforesaid submissions advanced by the petitioner’s counsel and mainly taking into account the inordinate delay of nine days in lodging the FIR coupled with the medical findings given in the post-mortem report with regard to the cause of death of the deceased as well as the petitioner’s custody period and the completion of the investigation against him, this court is inclined to release the petitioner on bail. Accordingly, let the petitioner named-above be released on bail in connection with Sakra P.S. Case No. 226/ 2025 on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned.

(Shailendra Singh, J)

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