

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78312 of 2024

Arising Out of PS. Case No.-58 Year-2024 Thana- ANGARGHAT District- Samastipur

Rajesh Kumar Ray @ Rajesh Kumar Yadav, Son of Ram Bharos Ray,
Resident of Village- Angarghat, Ward No. 01, P.S.- Angarghat, District-
Samastipur (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pranav Kumar, Adv.
Mr. Bhubneshwar Mahto, Adv.
For the Opposite Party/s : Mr. Satyendra Narayan Singh, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

6 20-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection
with Angarghat P.S. Case No. 58 of 2024 registered for the
offences punishable under Sections 123, 103(1) and 3(5) of the
BNS, 2023.

3. Allegedly, the marriage of the petitioner was
solemnized with the deceased 14 years ago and from their
wedlock, two sons and a daughter were born. Notwithstanding
the aforesaid fact, the deceased was subjected to demand of
dowry and on account of non-fulfillment of the same, she was
tortured by all the accused persons including the petitioner, it is
further alleged that on the fateful day, all the accused persons



forcefully administered her celphos due to which she died.

4. Learned counsel for the petitioner taking this Court through the FIR contended that admittedly the marriage was solemnized 14 years ago and the couple also blessed with three children; hence, any demand of dowry at this stage does not inspire confidence. Moreover, the FIR also suggests that the deceased was taken to the Clinic of Arvind Kumar; however, during the course of treatment, she died. In fact, on the fateful day, some altercation took place between the husband and wife on account of petty reason of non-refunding of some money by the father-in-law of the petitioner, who has taken the same by the petitioner through the deceased, which fact has also come during investigation. It is further contended that even the postmortem report suggests that she was not subjected to any torture, inasmuch as there is no mark of violence and thus the viscera was preserved and a report has called from the Forensic Science Laboratory. The petitioner undertakes that he will fully cooperate in the proceedings of the Court.

5. On the other hand, learned counsel for the State opposed the bail application and submitted that all the witnesses including the daughter of the deceased have categorically suggested the hands of the petitioner along with other in causing death of the deceased.



6. Regard being had to the submissions made on behalf of the parties and considering the submissions advanced and the materials collected during the course of investigation as also the supervision notes, which suggests that on the fateful day, the daughter of the deceased has disclosed to the witnesses that her mother has consumed poison and thereafter she was taken to the hospital, coupled with the postmortem report, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 20,000/- (Twenty thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-III, Dalsingsarai, Samastipur in connection with Angarghat P.S. Case No. 58 of 2024, subject to the condition as laid down under Section 482(2) of the BNSS, with further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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