

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1086 of 2025

Arising Out of PS. Case No.-153 Year-2024 Thana- VAISHALI District- Vaishali

Umesh Rai Son of Devanand Rai Resident of Village- Manua, P.S.- Belsar
O.P., P.S.- Vaishali, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vasant Vikas, Advocate
Mr. Saroj Kumar, Advocate
For the Opposite Party/s : Mr. Abhay Kumar Roy, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 09-04-2025

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Vaishali P.S Case no.153 of 2024 registered under sections 302 and 34 of the Indian Penal Code and sections 3/4 of the D.P. Act.

3. As per the prosecution case, the informant states that his daughter was married to the petitioner herein. The petitioner as also the other accused persons tortured his daughter for non-fulfillment of the demand of Rs.5 lakhs. She was ultimately done to death.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case only for the reason of his being the husband of the deceased. It is submitted



that the deceased committed suicide as a result of continuing severe illness. Referring to the contents of the postmortem report, it is submitted that no serious external or internal injury was found and the opinion of the cause of death was reserved till the report of forensic lab examination. It is submitted that the falsity of the case would be evident from the fact that though the other accused persons were made FIR named accused, however final form was submitted against them, though the counsel has no instruction as to whether the said final form was accepted by the learned trial Court or not. Referring to the order dated 21.10.2024 (Annexure-P/3), it is submitted that cognizance therein was taken only against this petitioner. He is in custody since 25.4.2024 and undertakes to cooperate in the trial.

5. The application for bail is opposed by learned A.P.P for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the FIR, the contents of the postmortem report, the final form having been submitted against the other accused persons, the order taking cognizance dated 21.10.2024 and the petitioner having remained in custody for more than 11 months since 25.4.2024, the petitioner is directed to be enlarged on bail in connection with Vaishali P.S



Case no.153 of 2024 on furnishing bail bond of Rs.10,000/-
(Rupees Ten Thousand) with two sureties of the like amount
each to the satisfaction of the learned Chief Judicial Magistrate,
Vaishali at Hajipur.

(Partha Sarthy, J)

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