

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5608 of 2026

Arising Out of PS. Case No.-242 Year-2025 Thana- EKANGARSARAI District- Nalanda

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Vinod Kumar Son of Upendra Chaudhary Resident of Village- Jagai, P.S.-
Ekangar Sarai, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shyamal Prakash, Advocate

For the Opposite Party/s : Mr.Abhay Kumar Roy, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 26-02-2026 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in a case registered for the
offence punishable under Sections 103 (1), 108, 126 (2), 115 (2), 352
and 3 (5) of B.N.S.

3. As per the prosecution case, on 07.10.2025, the
informant came to know that her husband has died and she suspects
that petitioner and his wife has killed her husband and hanged his
dead body with ceiling fan.

4. Learned counsel for the petitioner submits that the
petitioner who happens to be the own brother of the deceased has
been falsely implicated in the present case filed by the informant who
happens to be the wife of the deceased for oblique motives. The First
Information Report itself discloses that the informant got an
information from the local villagers that the dead body of her



husband was hanging from the ceiling fan and she suspected that the petitioner and his wife have assaulted the deceased and hung him from the ceiling fan. However, the postmortem report clearly mentions the cause of death as asphyxia due to hanging and does not mention any other external injury on the body. Further, a case under Section 498 (A) of the I.P.C had been filed by the mother of the present informant i.e., the wife of the deceased, against the husband and all other family members alleging demand of dowry and torture (Annexure-P/2). Learned counsel has further pointed out the fact that an informatory petition had been filed by the deceased himself, against the present informant around one and half months prior to the date of occurrence wherein he had clearly stated that on account of torture being meted out to him by his wife i.e. the present informant, he would commit suicide. It is further submitted in such background that petitioner has falsely been made an accused by the informant only with a bid to save her own skin. Petitioner is in custody since 09.10.2025 and charge sheet has also been submitted under Section 108 of the B.N.S and not under Section 103 (1) of the B.N.S.

5. Learned APP for the State opposed the bail petition.

6. Taking into consideration the facts and circumstances of the case and also considering the fact that the petitioner happens to be the brother of the deceased who was made an accused by the informant's mother together with the deceased in a case under Section 498 (A) of the I.P.C and the factum of suicide committed by



the deceased stands supported by the postmortem report, the above named petitioner is directed to be enlarged on bail 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 Court below where the case is pending/successor Court in connection with Ekangar Sarai P.S. Case No. 242 of 2025.

(Soni Shrivastava, J)

vashudha/-

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