

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7596 of 2026

Arising Out of PS. Case No.-408 Year-2025 Thana- JAYNAGAR District- Madhubani

Gaurav Kumar @ Guddu @ Rahul Kumar S/o Satyanarayan Sah R/o Village-
Union Tola, Jaynagar, Ward No. 3, P.S.- Jaynagar, District- Madhubani

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Rupesh Kumar S/o Shri Upendra Prasad R/o Village- Basopatti, P.S.-
Basopatti, District- Madhubani

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Alias Ashok Karn, Advocate
For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

4 09-04-2026 Heard the learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks regular bail in connection with
Jaynagar P.S. Case No. 408 of 2025 registered for the offence
under Sections 80, 3(5) of the B.N.S., 2023 and u/s 3 and 4 of
the D. P. Act.

3. The petitioner is the husband of the deceased. He is
alleged to have killed his wife.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has not committed any offence.
Petitioner is in custody since 23.11.2025 having one criminal
antecedent. He further submits that from the FIR, it appears that



the deceased had given birth to a child but the child but the child died and subsequently the deceased also died in the hospital. Thereafter, the informant has filed this case.

5. Learned APP for the State as well as learned counsel for the informant have vehemently opposed the prayer for bail and counsel for the informant submits that the deceased was not taken to a good doctor and the patient remained there for one month and died.

6. Considering the aforesaid facts and circumstances of the case and period of custody, this application for grant of regular bail is allowed.

7. Accordingly, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Madhubani/concerned court below in connection with Jaynagar P.S. Case No. 408 of 2025.

8. The Superintendent of Police, Madhubani is directed to examine the records and he will debar the Arresting Officer of the case from investigation of such serious cases who without doing proper investigation, arrested the innocent husband whose wife had died after giving birth to a child.

9. Let a copy of this order be sent to the



Superintendent of Police, Madhubani through FAX for it forthwith compliance.

10. It is made clear that any observation made herein is *prima facie* in nature and limited solely for the purpose of adjudication of the present bail application. Such observations shall not be construed as an expression on the merits of the case and shall not influence the trial or any other proceedings in any manner.

(Sandeep Kumar, J)

Ranjeet/-

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