

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25784 of 2026

Arising Out of PS. Case No.-288 Year-2025 Thana- MOKAMAH District- Patna

Saurav Kumar @ Saurabh Kumar S/o- Manoj Paswan Resident of ward no 11
of Village- Mor Police Station-Mokama, Dist- Patna

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr. Arun Kumar Arun, Advocate Mr. Anil Kumar, Advocate Mr. Sudhir Kumar, Advocate
For the State	:	Mr. Murli Dhar, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

5 24-07-2026 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks regular bail in connection with Mokama P.S. Case No.288 of 2025 lodged on 08.07.2025, for the offences punishable under sections 80, 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. The petitioner and others are accused of killing the sister of the informant. The petitioner is in custody since 09.07.2025.

4. Learned counsel for the petitioners submits that the petitioner is innocent and has committed no offence. It is further submitted that the petitioner is the husband of the deceased. He further submits that the marriage between the deceased and the petitioner was solemnized as a love marriage



against the wishes of the deceased's family members.

5. It has been submitted by learned counsel for the petitioner that the deceased, who was the wife of the petitioner, had herself preferred Cr.W.J.C. No.731 of 2023 for protection of her husband and his family members from her paternal family members since the marriage between the deceased and the present petitioner was solemnized against the wishes of the family of the deceased and a Coordinate Bench of this Court *vide* order dated 06.10.2023 had invoking the principles of *parens patriae* and directed to provide adequate protection to the petitioner.

6. Adverting to the postmortem report, it has further been argued that the deceased had committed suicide, which is supported by the fact that the cause of death was cardio respiratory arrest caused due to sudden spinal cord injury.

7. Lastly, it has been argued that the similarly situated co-accused have been granted anticipatory bail by a Coordinate Bench of this Court *vide* order dated 19.03.2026 passed in Criminal Miscellaneous No.80294 of 2025.

8. Learned APP for the State has opposed the prayer of the petitioner for grant of bail.

9. I have considered the submissions of the



parties and perused the materials on record.

10. Considering the submissions made on behalf of the petitioner, his period of custody, the postmortem report of the deceased indicates that the deceased had committed suicide and that similarly situated co-accused persons have been granted anticipatory bail by a Coordinate Bench of this Court, this application is allowed.

11. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-III, Barh, Patna / concerned Court below, in connection with Mokama P.S. Case No.288 of 2025.

12. It is, however, clarified that the observations made herein are limited to the adjudication of the present bail application and shall not prejudice the case of the petitioner at any subsequent stage of the trial and this Court has not expressed any opinion on the merits of the case.

(Sandeep Kumar, J)

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