

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43774 of 2026

Arising Out of PS. Case No.-496 Year-2024 Thana- MALSALAMI District- Patna

Binay Kumar @ Binay Rai @ Vinay Kumar @ Vinay Rai son of Ram Eqbal
Rai Resident of Village- Nand Gola, Pirdamariya Ghat, Ps- Malsalami, Dist-
Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pratik Mishra, Advocate

For the Opposite Party/s : Mr.Satyendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 06-07-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail in the present case registered for the offences punishable under Sections 85, 140(1), 61(2) and 3(5) of the B.N.S. and Sections 3/ 4 of Dowry Prohibition Act.

3. As per the prosecution case, petitioner is alleged to have killed the deceased.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in the present case. Learned counsel further submits that the victim girl is alive and has left her husband. It is further submitted that, out of the two bodies recovered, a sample from one body has



been sent for DNA testing, and the report is still awaited. Petitioner claims clean antecedent and he is in custody since 15.07.2025. The petitioner undertakes to co-operate in the case/ trial.

5. Learned APP for the State has opposed the prayer for regular bail of the petitioner.

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

7. Accordingly, let the petitioner, above named, be released on **provisional 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 District and Additional Sessions Judge II, Patna City, Patna /concerned Court below in connection with Malsalami P.S. Case No. 496 of 2024.

8. The provisional bail granted to the petitioner shall be considered for confirmation by the learned Trial Judge after report of D.N.A. test is received and an appropriate order shall be passed by the learned Trial Judge in accordance with law.

(Sandeep Kumar, J)

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