IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68772 of 2026

CNR No. BRHC011001752026

Arising Out of PS. Case No.-342 Year-2026 Thana- KAUWAKOL District- Nawada

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Ashutosh Kumar @ Kundan S/o Arjun Ram R/o Village- Konipar, P.S- Kawakole, Distt.- Nawadah.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Ram Prawesh Kumar, Advocate
For the Opposite Party/s : Mr.Ashok Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA

ORAL ORDER

3 06-11-2026 Heard learned counsel for the petitioner and learned APP for the State.

02. In the present case, the petitioner seeks bail in connection with Kawakole P.S. Case No. 342 of 2026 registered for the alleged offences under Sections 80, 3(5) of BNS.

03. As per prosecution case, the petitioner was married with the daughter of the informant in the year 2025. There is allegation of dowry demand against the petitioner and other co-accused persons and on non-fulfillment of the demand of Rs.Three lakhs in cash and a motorcycle, the petitioner and other co-accused persons used to torture the daughter of the informant. On 07.07.2026, the informant received information

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about death of his daughter and he reached her matrimonial home and got FIR registered saying that his daughter was killed by the petitioner and other co-accused persons who hanged her dead body.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. No occurrence in the manner as alleged has ever taken place. The wife of the petitioner had committed suicide and this fact is apparent from the report of the police which has been mentioned in the case diary. The police received information about a lady confining herself in a room and not opening the door. The police reached there and cut open the door. The wife of the petitioner was found hanging from the ceiling fan. Therefore, it is a case of suicide and petitioner has not even instigated his wife to commit suicide. The deceased was short tempered lady and was used to quarrel over petty issues and always give threat to the petitioner and his family members that she would take her own life and falsely implicate the family members. In a fit of anger she committed suicide. Learned counsel further submits that it has come during investigation that the deceased had been putting pressure upon the petitioner to get separated from his elder brother and sister-in-law and as

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the petitioner refused, perhaps, for this reason wife committed suicide. Learned counsel further submits that otherwise there was cordial and affectionate relationship between the husband and wife and they have a daughter from this wedlock, who was merely four months old at the time of occurrence and there is no one to look after her. The petitioner is having clean antecedent and he is in custody since 07.07.2026. Charge sheet has been submitted.

05. Learned APP opposes the submission made on behalf of the petitioner. Learned APP submits that the death of the daughter of the informant took place just after a year of marriage.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the possibility of deceased committing suicide and also considering the absence of cogent material against the petitioner and further considering the period of custody of the petitioner, his clean antecedent and submission of charge sheet, the petitioner above named is directed to 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 learned Judicial Magistrate, Ist Class, Nawada/concerned Court in connection with

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Kawakole P.S. Case No. 342 of 2026, subject to the conditions mentioned in Section 480(3) of B.N.S.S. and also the following conditions :

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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