

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.84780 of 2025**

**In**  
**CRIMINAL MISCELLANEOUS No.18535 of 2025**

Arising Out of PS. Case No.-167 Year-2023 Thana- KALUAHI District- Madhubani

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Kaushal Kumar Singh Son of Thakkan Singh Village- Narar Navtoli, PS-  
Kaluahi, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Jitendra Kumar Bharti

For the Opposite Party/s : Ms. Meena Singh

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**CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR**  
**ORAL ORDER**

2      31-01-2026                      Heard the learned counsel for the petitioner and the  
  
learned counsel for the State.

2. This application has been filed for modification of  
the order dated 04.09.2025 passed in Cr. Misc. No. 18535 of  
2025 by which the petitioner was granted regular bail by this  
Court with certain condition.

3. The following order was passed on 04.09.2025 in  
Cr. Misc. No. 18535 of 2025:-

*“Heard learned counsel for the petitioner  
and learned APP for the State.*

*2. The petitioner seeks bail in connection  
with Kaluahi P.S. Case No. 167 of 2023 registered for  
the offence punishable under Sections 302, 304(B),  
120(B) of the Indian Penal Code and Section 3/4 of the  
Dowry Prohibition Act.*

*3. As per the prosecution case, the  
petitioner, who is the husband, is accused of torture  
and killing his wife.*



4. *The petitioner is in custody since 23.08.2024.*

5. *Learned counsel for the petitioner submits that the deceased has committed suicide which is apparent from the post-mortem report as there is no external injury except the ligature mark to show that she was not assaulted by the accused persons. He also submits that the only child born out of the wedlock of the petitioner with the deceased is staying with the family of the petitioner.*

6. *Learned counsel for the State and learned counsel for the informant has vehemently opposed the prayer for bail.*

7. *Considering the period of custody and the delay in trial, this application is allowed.*

8. *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 Judicial Magistrate 1st Class, District– Madhubani in connection with Kaluahi P.S. Case No. 167 of 2023.*

9. *At the time of accepting bail bonds of the petitioner, the Court below will verify the only child born out of the wedlock is actually residing with the family of the petitioner. If the child is found staying with the family of the petitioner, the bail bonds shall be accepted and if not appropriate order shall be passed by the Court below”*

4. The learned counsel for the petitioner submits that the petitioner's son, Naman Kumar Singh, and daughter, Akansa Kumari @ Khushi Kumari, were living with their grandfather and mother until the petitioner was granted regular bail on 04.09.2025. However, when the informant and his family became aware of the petitioner's bail and the condition that the child born out of wedlock was residing with the petitioner's family, they falsely claimed that the children (the petitioner's



son and daughter) would be admitted to school. On this pretext, the petitioner's sister-in-law, Nikita Kumari, took the children.

5. The learned counsel for the petitioner further submits that Nikita Kumari, the sister-in-law of the petitioner, is the wife of Vikram Singh and a resident of Village Narar, Navtoli, P.S. Kaluahi, District Madhubani. This is the same village where the petitioner resides. It is humbly submitted that while the children were primarily living with their grandfather and grandmother, due to the death of their mother, they occasionally visited their maternal aunt (Mausi) for love and affection. The grandfather and grandmother, not objecting to this, allowed Nikita Kumari to take the children. However, she misused the trust and goodwill extended to her by the family of the petitioner.

6. Considering the aforesaid facts and circumstances, this modification application stands allowed. The Court below is directed to accept the bail bonds of the petitioner forthwith.

**(Sandeep Kumar, J)**

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