

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82191 of 2025

Arising Out of PS. Case No.-698 Year-2024 Thana- MOHANIYA District- Kaimur (Bhabua)

=====

Madhusudan Rai S/o Late Manoj Ray Resident of village - Ameth, P.S.-
Mohania, District- Kaimur (Bhabua)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

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

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan, APP

=====

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

4 25-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in a case registered for
the offence punishable under Sections 238, 80 and 3(5) of the
B.N.S.

3. As per the prosecution case, the petitioner along
with other co-accused is said to have killed the sister of the
informant due to non-fulfillment of demand of dowry.

4. Learned counsel for the petitioner submits that
although the petitioner happens to be the husband of the
deceased, the allegations levelled against him are false and
baseless. It is further submitted that as a matter of fact, there
was a love marriage between the petitioner and the deceased
and on account of some discord and depression, the deceased



consumed celphas which led to her death. It has been further submitted that the cremation of the deceased had taken place in the presence of the family members, as such, no *postmortem* was conducted. It has been further submitted that the trial has begun and two witnesses, being the informant (PW-2) and his brother (PW-1), have been examined during the trial and both of them have not supported the case of the prosecution and while PW-1 has been declared hostile, PW-2 (informant) has not been declared hostile, as such, evidence is also binding on the prosecution. It has been specifically stated by the informant during the trial that he had filed this case on the basis of suspicion although there was no demand for dowry or cruelty meted out to the deceased. The petitioner is in custody since 24.10.2024 with no criminal antecedent.

5. Learned APP for the State opposed the grant of bail on the basis of allegations made in the First Information Report.

6. Taking into consideration the facts and circumstances and considering the fact that the witnesses including the informant have not supported the prosecution case during the trial, coupled with the period of custody, let the above named petitioner, be released on bail on furnishing bail



bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-II, Kaimur (Bhabhua)/concerned Court below in connection with Mohania P.S. Case No. 698 of 2024 subject to condition that:-

(i) The petitioner shall remain physically present in court on each and every date during trial so that trial is concluded expeditiously and in the event of failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(Soni Shrivastava, J)

anand/-

U		T	
---	--	---	--

