

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86124 of 2025

Arising Out of PS. Case No.-8 Year-2025 Thana- FATEHPUR District- Kishanganj

Babul Alam @ Md. Mister S/O Late Kalimuddin @ Kelavariya @ Salim
Resident of Village- Bairiya, P.S.- Fatehpur, Dist.- Kishanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Radha Mohan Singh, Adv.

For the Opposite Party/s : Mr. Ram Naresh Ray, App.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

5 13-05-2026 1. Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. This application, for grant of regular bail, arises out
of Fatehpur Police Station Case No. 08 of 2025, disclosing
offences under Sections 103(1) and 3(5) of the BNS, 2023.

3. As per the FIR, the marriage of the informant's
daughter was solemnized with the petitioner about eight years
ago. On 31.03.2025, he got the information that his daughter has
been killed. Upon this information, the informant, along with his
family members, reached the matrimonial house of his daughter
and found that she was dead. It has been alleged that the
petitioner, along with other co-accused persons, have assaulted
his daughter and hanged her also.

4. Mr. Radha Mohan Singh, learned counsel for the



petitioner, submits that petitioner is husband of the deceased and the marriage was performed about eight years ago. There is allegation against the petitioner and other co-accused persons, who were the family members of the petitioner, that they assaulted the deceased and subsequently hanged her. During course of investigation, the police submitted final form against the other accused persons, i.e., family members of the petitioner, but has submitted charge sheet against the petitioner under Section 103(1) and 80(2) of the BNS, 2023, whereas, from the FIR itself, it appears that the marriage was solemnized about eight years ago. The charge sheet has been submitted against the petitioner only.

5. He next submits that in the post-mortem report, no external injuries have been found on the body of the deceased. In the FSL examination, the preliminary opinion of the expert is that to collect viscera from hospital and send it to RFSL, Bhagalpur for laboratory analysis through proper channel. The suspected ligature material, i.e., multi-colored stole (chunni), was collected from the house of the deceased. The mother of the deceased in her statement during investigation has said that the petitioner used to torture and beat her daughter and killed her.

6. Learned counsel further submits that prima facie



material has not been collected to show that the petitioner killed his wife, rather the materials collected suggests that she has committed suicide. The police, after investigation, submitted charge sheet and charges have been framed against the petitioner on 30.07.2025. The petitioner is in custody since 07.04.2025 and there is no likelihood that the petitioner will abscond or tamper with the evidence.

7. Regards being had to the submissions made by the parties and taking into consideration the nature of allegation and the materials collected during investigation and the fact that marriage was solemnized about eight years ago and the charges have been framed, accordingly, I am inclined to grant regular bail to the petitioner.

8. This application is, accordingly, allowed.

9. 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 learned Sessions Judge, Kishanganj in connection to the Fatehpur Police Station Case No. 08 of 2025.

10. This is subject to the condition that the petitioner shall present himself before the police/Court, as the case may be, as and when required and in the event of failure on his part



to appear before the Court on two consecutive occasions, his
bail bond shall be liable to be cancelled.

(Anil Kumar Sinha, J)

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