

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85997 of 2025

Arising Out of PS. Case No.-47 Year-2025 Thana- ALOULI District- Khagaria

Vikas Kumar Yadav @ Vikas Kumar Son of Prithvi Chandra Yadav Resident
of Village - Harkhaiya (Alauli), Police Station - Alauli, District - Khagaria
(Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Singh

For the Opposite Party/s : Mr.Md. Mushtaque Alam

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 02-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection with
Alauli P.S. Case No. 47 of 2025 registered for the offence
punishable under Sections 80, 85, 115(2), 352 of the B.N.S.,
2023.

3. The case of the prosecution, in short, is that the
petitioner was married to the sister of the informant. It is alleged
that the deceased was subjected to cruelty on account of non-
fulfillment of dowry demand. On 30.01.2025, she was being
abused and assaulted and was killed by hanging.

4. Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no



offence. He has been falsely implicated in this case. Learned counsel for the petitioner submits that the occurrence took place on 30.01.2025, whereas the FIR was lodged on 01.02.2025, after a delay of a month and the delay in lodging the FIR has not been explained. He further submits that during the course of investigation, in para-117 of the case diary, one witness has stated that the father-in-law of the deceased had gone to work outside; when he returned, he found that door closed from inside, and after that villagers arrived there and the door was opened, and it was found that the deceased was hanging. He also submits that the police has filed charge-sheet under Section 306 of the I.P.C., which corresponds to Section 108 of the BNS, 2023. He further submits that the petitioner is having no criminal antecedent and he is languishing in judicial custody since 17.06.2025.

5. The learned APP appearing for the State has vehemently opposed the application for bail and submits that from perusal of the injury report, it is clear that the dead body was in a moderate stage of decomposition and the deceased has one postmortem abrasion over the left side of the forehead, left iliac region and left wrist. The doctor has opined that the cause of death is asphyxia and venous congestion due to antemortem



hanging.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Khagaria in connection with Alauli Case No. 47 of 2025.

(Ashok Kumar Pandey, J)

Sudhanshu/-

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