

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.91330 of 2025

Arising Out of PS. Case No.-77 Year-2025 Thana- MITHANPURA District- Muzaffarpur

Md. Danish Alam @ Md. Danish Son of Khushanur Alam Residetn of
Village-Daudnagar, P S- Vaishali District -Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Nitu Kumari Mr. Ratneshwar Prasad Mr. Yogendra Kumar Singh
For the Opposite Party/s :		Mr.Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 3 07-04-2026 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Mithanpura Police Station Case No. 77 of 2025, dated 02.04.2025, disclosing offences punishable under Sections 80(2) of the Bhartiya Nyaya Sanhita, 2023.
3. The prosecution case, as per the First Information Report lodged on 02.04.2025, is that the informant's daughter was married to the petitioner in the year 2019 and out of the wedlock, one child was born, who is aged about five years. It has been alleged that on 30.03.2025, the informant received a call from his grandson, saying that his mother has died, come soon. Thereafter, the informant



arrived at the matrimonial home of his daughter and found that his daughter was murdered.

4. Learned Counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and both, the husband and the wife, were residing happily after their marriage about six years ago. The occurrence has taken place on 30.03.2025 and according to the First Information Report, the informant arrived immediately at the matrimonial home of the deceased on the same date, but no First Information Report was lodged on that date. The post mortem examination report was conducted on the dead body of the deceased on 31.03.2025 and till then, neither the First Information Report was not lodged nor any U.D. case was lodged by the police. In the post mortem examination report, the doctor has opined that the deceased died due to asphyxia as a result of the antemortem hanging. The son of the deceased, aged about 05 years, during the investigation, has stated before the police that there was a quarrel between his mother and father and subsequently thereafter, the mother hanged herself. The boy informed his father immediately and thereafter the petitioner came



and found that the deceased was hanging with stole. The stole was cut and the body was brought down. There is no allegation of torture and demand of dowry in the First Information Report.

5. Learned Counsel or the State, referring to the case diary, submits that the son of the deceased, aged about five years, has said that after quarrel, the deceased hanged herself from the fan.
6. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the statement of the son of the petitioner and the deceased and the post mortem examination report of the deceased, I am inclined to grant the petitioner privilege of anticipatory bail.
7. This application is, accordingly, allowed.
8. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of four weeks from today, 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 Judicial Magistrate, 1st Class, Muzaffarpur (East), in connection with Mithanpura Police Station Case No. 77 of 2025, subject to the condition laid down under Section



482 (2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

U	√	T	√
---	---	---	---

