

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36723 of 2019

Arising Out of PS. Case No.-43 Year-2019 Thana- NALANDA District- Nalanda

RAJARAM RAUT S/o Sitaram Raut Resident of Village- Kaptiya, P.S.-
Nalanda, District- Nalanda Petitioner

Versus

The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr.Raj Kishor Prasad, Advocate

For the Opposite Party/s : Mr.Parmeshwar Mehta, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 13-06-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner in the present case is seeking anticipatory bail in connection with Nalanda P.S. Case No. 43 of 2019 registered for the offences punishable under Section 304B of the Indian Penal Code and Sections 3 and 4 of Dowry Prohibition Act.

Learned counsel for the petitioner submits that there are general and omnibus allegations against the near relatives of the husband of the deceased. The husband of the deceased is in jail and so far as this petitioner is concerned, he being the elder brother of the husband lives separately in mess and business and has no concern with the family of his brother.

Learned counsel further submits that from the FIR it will appear that it was the husband who was allegedly demanding dowry for purchase of motorcycle. The allegation of



torture is only frivolous and it has been imposed to implicate each and every member of the family and near relatives.

Learned APP for the State is present and has opposed the prayer of bail, however, it is not disputed that the allegations are general and omnibus.

In the facts and circumstances of the case, considering that the petitioner is the elder brother of the husband and it is submitted that he lives separately in mess and business and also there is no specific allegation of demand of dowry against him and there are general and omnibus allegations against the near relatives of the husband, let the petitioner above named in the event of his arrest or surrender in connection with Nalanda P.S. Case No. 43 of 2019 within a period of four weeks from today be released on bail on furnishing of bail bond of Rs. 15,000/- (fifteen thousand) to the satisfaction of learned C.J.M., Nalanda at Biharsharif, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajeev Ranjan Prasad, J)

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