

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66906 of 2019

Arising Out of PS. Case No.-209 Year-2019 Thana- TEGHRHA District- Begusarai

NITESH RAI @ NITESH KUMAR Son of Arun Rai @ Anil Rai Resident of
Village - Sokahara, P.S.- Fulwaria, Distt - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shree Niwas Singh

For the Opposite Party/s : Mr.Upendra Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 04-12-2019 Heard learned counsel for the petitioner, learned
counsel for the informant and learned Additional Public
Prosecutor for the State.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 304(B), 201/34 of the Indian
Penal Code and Section 3/4 of the Dowry Prohibition Act.

Prosecution case as lodged by the informant is that his
daughter's marriage has been solemnized with Jyoti Singh and
after some time of marriage, her husband and in laws started
harassing due to non-fulfillment of demand of dowry and due to
non-fulfillment of demand of dowry, she has been killed by her
husband and in-laws and disposed of her body.

Learned counsel for the petitioner submits that
petitioner is innocent and he has been falsely implicated in this



case due to ill motive of the informant. It is further stated that the petitioner is the brother-in-law (nandosi) of the deceased and he has no concern with the family of the deceased. It is also stated that nothing was demanded by the petitioner and the petitioner has never harassed the deceased. He submits that petitioner bears no criminal antecedent and he is in judicial custody since 07.06.2019. He further submits that charge-sheet has already been submitted and there is no allegation of tampering with the prosecution witnesses by the petitioner.

Learned counsel for the informant submits that in the case diary of paras 6, 7, 8, 9, 10, 44, 45, 46 and 51 witnesses have fully supported the prosecution story as alleged. At para 50 of the case diary statement of witness Umakant Singh is mentioned wherein he has stated that on the night of 03.06.2019 at about 8.30PM, he had heard weeping sound of the daughter of the informant and two motorcycles were parked near her house and after 9 PM the crying sound of daughter of the informant sopped and after some time he saw the petitioner and other persons taking away the daughter of the informant on motorcycle towards the bank of river Ganges.

In the facts and circumstances of the case, let the petitioner, above named, 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 Chief Judicial Magistrate, Begusarai in connection with Teghra Police Station Case No. 209 of 2019.

(Anjani Kumar Sharan, J)

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