

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62225 of 2021

Arising Out of PS. Case No.-147 Year-2019 Thana- BIND District- Nalanda

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RUDAL BIND @ RUDAL CHAUHAN SON OF SHIV KUMAR BIND R/o
village- Bind, P.S.- Bind, District- Nalanda

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ganesh Sharma, Advocate

For the Opposite Party/s : Ms.Rina Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 01-04-2022 Heard the learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner seeks regular bail in connection with
Bind P.S. Case No. 147 of 2019 for the offence registered under
Sections 304(B)/34 of the Indian Penal Code.

The allegation is regarding the accused persons
including the petitioner, who is stated to be the elder brother of
the husband of the deceased victim lady, having killed the
deceased victim lady on account of non-fulfillment of the
demand for dowry.

The learned counsel for the petitioner has submitted
that the petitioner is innocent, has been falsely implicated in the
present case, is having a clean antecedent and he is languishing
in custody since 01.09.2021. The learned counsel for the



petitioner has referred to paragraph no. 12 of the present petition to submit that the husband of the deceased victim lady had been languishing in custody, however, after trial he has been acquitted vide judgment dated 08.01.2021, passed by the Ld. court of 3rd Additional Sessions Judge, Nalanda at Bihar Sharif in Sessions Trial No. 192 of 2020. It is further submitted that the father of the petitioner who is the father-in-law of the deceased victim lady has already been granted the privilege of anticipatory bail by an order dated 17.02.2022, passed by a co-ordinate Bench of this Court, in Criminal Misc. No. 25132 of 2021. Lastly, it is submitted that a bare perusal of the FIR would show that a general and omnibus allegation has been levelled against all the accused persons and as far as the petitioner is concerned, no specific allegation has been levelled against him by the informant.

Per contra, the learned counsel for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering the fact that the husband of the deceased victim lady has already been acquitted and similarly



situated co-accused persons i.e. the father-in-law of the deceased victim lady and brother-in-law of the deceased victim lady have already been granted the privilege of anticipatory bail by coordinate Benches of this Court, I deem it fit and proper to direct for release of the petitioner herein on regular bail.

Accordingly, the petitioner, above named, is directed to 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 CJM, Nalanda at Bihar Sharif in connection with Bind P.S. Case No. 147 of 2019.

(Mohit Kumar Shah, J)

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