

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13053 of 2023

Arising Out of PS. Case No.-129 Year-2021 Thana- KALYANPUR District- East Champaran

Laxman Nut, aged about 37 years, Male, S/O Khelar Nut Resident of village-
Siswa Kharar, P.S.- Kalyanpur, District- East Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shakil Ahmad Khan, Advocate

For the Opposite Party/s : Dr. Mrityunjaya Kr.Gautam, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

4 24-05-2023 Heard learned counsel for the petitioner and learned
APP for the State of Bihar.

The petitioner is apprehending his arrest in connection
with Kalyanpur P.S. Case No. 129 of 2021 for the offence under
Sections 304B, 201, 34 of the Indian Penal Code.

There is allegation that the informant's daughter has
been done to death for non-fulfillment of demand for dowry.

It is submitted by the learned counsel for the
petitioner that petitioner is member of the matrimonial family
and his implication is based on extraneous consideration. He has
no antecedent and no concern with the family of the deceased.
Other co-accused persons who are family members of the victim
have been allowed anticipatory bail in Cr. Misc No. 63463 of
2021.



Learned APP for the State opposed the prayer for bail.
It is submitted that petitioner is a named accused.

Considering the rival submissions, petitioner's claim based on parity with other family members of the victim, clean antecedent of the petitioner and also the fact that husband is already in custody, this Court inclined to allow petitioner's prayer for grant of anticipatory bail.

Petitioner's anticipatory bail is allowed.

Accordingly, 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 the learned ACJM-IX Motihari, East Champaran in connection with Kalyanpur P.S. Case No. 129 of 2021 subject to the conditions as laid down in Section 438(2) of the Code of Criminal Procedure as also subject to the following conditions:

- (i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.
- (ii) That the petitioner will be well represented on each date and if they



fail to do so on two consecutive dates,
their bail bond will be liable to be
cancelled.

(Madhuresh Prasad, J)

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