

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13680 of 2024

Arising Out of PS. Case No.-351 Year-2021 Thana- ROSERA District- Samastipur

Rahul Rai @ Rahul Kumar Rai SON OF SRI BIPIN RAI R/O VILLAGE-
DARHA, WARD NO. 12, P.S.- ROSERA, DISTRICT- SAMASTIPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amit Kumar Anand

For the Opposite Party/s : Mr.Damodar Prasad Tiwary

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 12-03-2024 Heard the learned counsel for the petitioner as well as
learned APP for the State.

2. The petitioner apprehends his arrest in connection with
Rosera P.S. Case No. 351 of 2021, registered for the offences
punishable under Sections 498(A), 304(B) and 34 of the Indian Penal
Code.

3. As per allegation, the marriage of sister of the informant
was solemnized with brother of the petitioner namely Rohit Rai.
After marriage, the petitioner along with other family members
started torturing the deceased for non-fulfillment of demand of
dowry. On 12.11.2021 at about 7:30 A.M., the informant got a
telephonic information that his sister died due to electric shock. On
this information, the informant rushed to her matrimonial house and
saw that the dead body of his sister was hanging and found a black
spot on her neck.

4. The learned counsel for the petitioner has submitted
that the petitioner is a person of clean antecedent and has falsely been



implicated in this case. He is brother-in-law (*devar*) of the deceased, having no concern with day-to-day affairs of the couple. The final form was submitted against the petitioner but the learned Magistrate has taken cognizance, differing with the opinion of the investigating authorities. He has submitted further that the husband of the deceased has been granted regular bail by a coordinate Bench of this Court in Cr. Misc. No. 31157 of 2023.

5. On the other hand, the learned APP for the State has opposed the prayer for bail and submitted that the petitioner is involved in dowry death of the deceased.

6. Considering the above-mentioned facts and circumstances, let the petitioner, in the event of his arrest or surrender within four weeks before the learned court below, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 1st Additional Chief Judicial Magistrate, Rosera, Samastipur in connection with Rosera P.S. Case No. 351 of 2021, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Nawneet Kumar Pandey, J)

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