

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.38796 of 2024**

Arising Out of PS. Case No.-252 Year-2022 Thana- SAMASTIPUR MUFFASIL District-  
Samastipur

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Rohit Kumar SON OF Umesh Chaudhary Resident of village -Jitwarpur,  
Hakimabad Police Station -Muffasil, District- Samastipur

... .. Petitioner/s

Versus

1. The State of Bihar BIHAR
2. Lalita Devi WIFE OF Ramurash Sahni resident of village- Madhurapur,  
Lakhraj, Rampur Dayal, Police Station- Piyaar, district -Muzaffarpur

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Kundan Kumar, Adv.

For the Opposite Party/s : Mr.Nirmal Kumar Sinha, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH  
SINGH**

ORAL ORDER

2      04-07-2024                      Heard learned counsel for the petitioner and learned  
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Samastipur Muffasil P.S. Case No. 252 of 2022 dated 11.06.2022 registered for the offences punishable u/ss 304B, 201, 120B read with Section 34 of the Indian Penal Code.

3. As per the prosecution case, the petitioner and the co-accused persons are alleged to have killed the daughter of the informant due to non- fulfillment of demand of dowry.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in



this case. There is general and omnibus allegation against the petitioner. Nothing incriminating material has been recovered from the conscious possession of the petitioner. It is submitted that the deceased was died due to snake bite when she went to attain call of nature out of her matrimonial house towards the brick-kiln but the informant's brother-in-law and other villagers have given wrong information about the reason of death of her daughter and therefore, she has filed this false case against the husband and in-laws of the deceased. It is further submitted that in Session Trial No. 678/2023, two prosecution witnesses have been examined and also submitted that the conclusion of trial will take time. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 24.07.2023.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner and submitted that the earlier the anticipatory bail application has been rejected by this court vide order dated 12.10.2023 passed in Cr. Misc. No. 64826 of 2023.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond



of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Samastipur in connection with Sessions Trial No. 678 of 2023 arising out of Samastipur Muffasil P.S. Case No. 252 of 2022 with the condition :-

*(i) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.*

7. The application stands allowed.

**(Chandra Prakash Singh, J)**

Gautam/-

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