

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45085 of 2024

Arising Out of PS. Case No.-37 Year-2024 Thana- RAJGIR District- Nalanda

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Lutan Chaudhary, aged about 35 years, gender- male, son of Late Karu Chaudhary, resident of Village -Visthapit Ngdih, Ps- Rajgir, District- Nalanda
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Tarun Prasad Mandal, Advocate

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 21-09-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends arrest in connection with
Rajgir PS Case No.37 of 2024 dated 01.02.2024, instituted
under Sections 304-B/34 of the Indian Penal Code.

3. The allegation against the petitioner including
others is of killing the daughter of the informant within seven
years of marriage due to non fulfillment of demand of cash and
motorcycle as additional dowry. Petitioner is the uncle of the
husband of the deceased.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in this
case. It is also submitted that the petitioner is uncle of the
husband of the deceased and he has no concern with the family



affairs of the deceased and her husband. There is no specific overt act alleged against the petitioner. So far the demand of additional dowry is concerned, the husband may be the beneficiary as well as responsible for the same. It is further submitted that nothing has come against the petitioner, rather, allegation against the petitioner is general and omnibus. Lastly, it is submitted that the petitioner has one criminal case pending against him.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Nalanda at Biharsharif, in Rajgir PS Case No.37 of 2024, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

7. The application stands allowed.

(Khatim Reza, J)

J. Alam/-

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