

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82690 of 2023

Arising Out of PS. Case No.-229 Year-2023 Thana- LAKHISARAI District- Lakhisarai

Rakesh Kumar Son Of Raghunandan Ram R/O Mohalla- Kabaiya Road, Ward
No. 32, P.S.- Lakhisarai (Kabaiya), Dist.- Lakhisarai

... .. Petitioner/s

Versus

The State Of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kaushal Kumar, Advocate

For the Opposite Party/s : Mr.Ram Bilash Roy Raman, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 07-03-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Lakhisarai (Kabaiya) P.S. Case No. 229/2023 lodged on
24.03.2023 under Sections 498A, 306, 304B/34 of the Indian
Penal Code.

3. As per the prosecution case, the FIR has been lodged
against two named accused persons other than the petitioner. The
accusation is of killing the daughter of the informant for non-
fulfillment of dowry demand.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. The
petitioner's name is not there in the accused column of the FIR.
The informant alleged that the marriage of his daughter was
solemnized with the petitioner, but thereafter, the mother and elder
brother of the petitioner used to torture her. The petitioner is in



custody since 12.05.2023 having no criminal antecedent. He further submits that it is not a case of killing rather it is a case of suicide.

5. Learned counsel for the State opposes the prayer for bail and submits that Section 304B of the Indian Penal Code has been added in the present case and it is the duty of the petitioner being the husband of the victim to look after his wife. Moreover, the dead body of the victim has been recovered from the house of the petitioner.

6. Upon specific query from the counsel for the petitioner whether the charge has been framed or not, learned counsel for the petitioner submits that he is not aware about the fact whether the charge has been framed or not.

7. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named be released on bail, **but only after framing of charge, if not framed**, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of CJM, Lakhisarai, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure.

(Dr. Anshuman, J)

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