

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5267 of 2024

Arising Out of PS. Case No.-27 Year-2023 Thana- RANIYATALAB District- Patna

Nitish Raj S/O Arun Kumar R/O Village- Kharakpura, P.S- Rani Talab, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Dr. Ajeet Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 20-03-2024 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 Rani Talab P.S. Case No. 27/2023 dated 28.01.2023 registered for the offence punishable u/s 304B/34 of the Indian Penal Code.

3. As per the prosecution case, the petitioner and the co-accused persons are alleged to have committed murder of the informant's daughter by strangulating her 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. Nothing has been recovered from the conscious



possession of the petitioner. The petitioner has one antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 13.02.2023. There is general and omnibus allegation against the petitioner who is the husband of the deceased. It is further submitted that the deceased was suffering from mental depression as her husband was unemployed. The petitioner neither demanded any dowry nor tortured the deceased. Learned counsel has submitted that as per the post-mortem report, the cause of death is due to Asphyxia by Atypical hanging.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner by submitting that the petitioner is the husband of the deceased.

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, Danapur, Patna in connection with Rani Talab P.S. Case No. 27/2023, 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)

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