

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77541 of 2024

Arising Out of PS. Case No.-44 Year-2024 Thana- PAUTHU District- Aurangabad

Nitish Kumar S/o Sukhu Yadav Resident of Pathak Bigha, P.S- Pauthu, Distt.
- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Ms. Renu Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 27-01-2025 Heard learned counsel for the petitioner and Ms. Renu Kumari, learned APP for the State.

2. The petitioner seeks bail in connection with Pathau P.S. Case No. 44 of 2024 instituted for the offence under Sections 302, 201 & 34 of the Indian Penal Code.

3. Prosecution case in a nutshell is that daughter of the informant was done to death at her matrimonial house due to non-fulfillment of the demand of dowry.

4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 20-06-2024. Petitioner bears no criminal antecedent, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's



counsel that petitioner has been falsely implicated in the present case. Petitioner is the brother-in-law of the deceased. Husband of the deceased is already in custody. There is no specific allegation alleged against the petitioner, rather allegation is general and omnibus in nature. Learned counsel for the petitioner submits that petitioner is separate in mess and property from the husband of the deceased. It is lastly submitted that police after investigation has already submitted charge sheet in this case.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. Referring to paragraph Nos. 10, 14 & 15 of the case diary, it is submitted that witnesses have supported the prosecution case.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner, there being no direct material against the petitioner and charge sheet being submitted, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Pathau P.S. Case No. 44 of 2024, subject to the following conditions:



(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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