

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75836 of 2025

Arising Out of PS. Case No.-243 Year-2024 Thana- SARMERA District- Nalanda

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Rahul Chaudhary @ Rahul Kumar Son of Late Triloki Chaudhary Resident
Of Village- Hussian Bigha P.s- Sarmera District -Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mrs. Vaishnavi Singh, Advocate
		Mr. Ritwik Thakur, Advocate
For the Opposite Party/s	:	Mr. Dilip Kumar No. 1, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 21-01-2026 Heard learned counsel for the petitioner and learned
APP for the State.

02. In the present case, the petitioner seeks bail in connection with Sarmera P.S. Case No. 243 of 2024 registered for the alleged offences under Sections 80(2) r/w 3(5) of Bharatiya Nyaya Sanhita, 2023.

03. As per prosecution case, the sister-in-law of the informant was married with the petitioner on 19.06.2024 and allegation against the petitioner and other co-accused persons is that they had been demanding Rs. 1,00,000/- in dowry and the sister-in-law of the informant was being tortured on account of non-fulfillment of this demand. Subsequently, on 31.10.2024, the informant received information about death of her sister-in-



law in her matrimonial home and when she reached there, she found the mark of the black injury on the neck of her sister-in-law.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. No occurrence as alleged in the manner has ever taken place. No dowry was given at the time of marriage and as the parties belong to very poor strata of society, the allegation of demand of dowry is not believable. It was the petitioner who himself informed about death of his wife to the informant and this fact has come in the further statement of the informant made during investigation. The petitioner and other co-accused persons were present when the informant her family members reached there and they were found preparing for last rights. This fact goes on to show that deceased has not died any unnatural death and if the petitioner and other co-accused persons have had any hand in the death of the sister-in-law of the informant, they would not have informed her or would not have remained present with the dead body. Learned counsel further submits that there is allegation of strangulating the sister-in-law of the informant but her postmortem report shows asphyxia due to *ante-mortem* hanging and it shows the sister-in-law of the



informant committed suicide by hanging herself but the petitioner or any of his family members have no role in the death of the sister-in-law of the informant. The petitioner is in custody since 01.11.2024 and is having clean antecedent. Charges have been framed in this case.

05. Learned APP for the State opposes the submission made on behalf of the petitioner. Learned APP submits that the petitioner is a husband and there is serious allegation of causing dowry death against the petitioner.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the framing of charges against the petitioner and his clean antecedent and also considering the period of custody of the petitioner, he is directed to 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 learned Chief Judicial Magistrate, Nalanda/court concerned in connection with Sarmera P.S. Case No. 243 of 2024, subject to the conditions mentioned in Section 480(3) of BNSS and the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.



(ii) The petitioner will remain present on each and every date fixed by the court below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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