

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84336 of 2025

Arising Out of PS. Case No.-21 Year-2024 Thana- DANDKHORA District- Katihar

Nitu Rai @ Nityanand Rai @ Nitu Nityanand Kr. Rai Son of Binod Rai
Resident of Village- Parhara, P.S.- Daudkhora, District- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md Musowir, Advocate
For the Opposite Party/s : Mr. Abhay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

4 11-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

02. In the present case, the petitioner seeks bail in connection with Dandkhora P.S. Case No. 21 of 2024 (S.T. No. 328 of 2024) registered for the alleged offences under Sections 498(A), 304(B) r/w 34 of the Indian Penal Code.

03. As per prosecution case, daughter of the informant died within 7 years of her marriage in her matrimonial home in suspicious circumstances. The petitioner is the husband of the deceased and further allegation against the petitioner and other co-accused persons is that they used to demand money and motorcycle and for this reason, they used to torture and treat the daughter of the informant with cruelty.

04. Learned counsel for the petitioner submits that the



petitioner is innocent and has been falsely implicated in this case. There is no eye witness to the alleged occurrence and only on suspicion the petitioner and his family members have been made accused in this case. True fact of the case is that the deceased has committed suicide and as per postmortem report, death was caused due to asphyxia as a result of hanging. The petitioner was not even present in the house as he was outside the house during the relevant time. Learned counsel further submits that charges were framed in this case. The petitioner is in custody since 13.03.2025 and he is having clean antecedent.

05. Learned APP for the State opposes the submission made on behalf of the petitioner. Learned APP submits that the petitioner is the husband and there is specific allegation against him for causing dowry death of the daughter in law of the informant.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the period of custody of the petitioner and framing of charge against him, the petitioner above named 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 Additional Sessions Judge-IX, Katihar/court concerned



in connection with S.T. No. 328 of 2024 arising out of Dandkhora P.S. Case No. 21 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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