

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28583 of 2018

Arising Out of PS.Case No. -91 Year- 2016 Thana -KAMTAUL District- DARBHANGA

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1. Ram Bilakshan Yadav, S/o Hardeo Yadav,
2. Manit Yadav S/o Ram Bilakshan Yadav, Both are R/o Vill.- Sirhulli ,
P.S.- Kamtaul, District- Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prabhat Kumar Singh

For the Opposite Party/s : Mr. Sri Brajendra Nath Pandey

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 11-05-2018 Heard learned counsel for the petitioners and learned
APP for the State.

Petitioners seek bail in connection with Kamtaul P.S.
Case No. 91 of 2016 for offences punishable under Sections 302,
304-B, 201/34 of the Indian Penal Code.

The prosecution case, as lodged by the informant is that
his daughter, Vibha Devi was married to Satish Yadav and due to
non-fulfillment of demand of motorcycle, Kerosene Oil was
poured on her by the petitioner, her husband and other family
members and was taken to hospital for treatment. She was released
from hospital and taken to her matrimonial home where she died
and her body was cremated without giving any information to the
informant.



It has been submitted by the learned counsel for the petitioners that petitioners are father-in-law and brother-in-law, respectively and it was not a case of murder rather it was a case of homicide where the deceased had burnt herself and was taken to hospital for treatment. He submits that incident is alleged to be of 06.05.2016 and F.I.R. has been lodged on 09.06.2016 and even in the hospital, no statement of the victim had been taken. He further submits that husband has already been granted the privilege of bail by this Court vide order dated 17.08.2017 passed in Cri. Misc. No. 29884 of 2017.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and materials available on record let the petitioners, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Darbhanga in connection with Kamtaul P.S. Case No. 91 of 2016 with the following conditions:

- (i) One of the bailors would be a close relative of the petitioners having sufficient immovable property, who will file an affidavit stating his



relationship with the petitioners

- (ii) Petitioners will appear before the learned court below during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J)

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