

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.62140 of 2017**

Arising Out of PS.Case No. -85 Year- 2017 Thana -DEO District- AURANGABAD

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1. Mahendra Yadav Son of Mukhdeo Yadav  
2. Sikendra Yadav Son of Mukhdeo Yadav  
3. Mukhdeo Yadav Son of Jawahir Yadav All residents of Village -  
Kamardih, P.S. - Deo, District - Aurangabad.

.... .... Petitioner/s

Versus

The State of Bihar.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Bachan Jee Ojha

For the Opposite Party/s : Mr. Asharaf Ansari

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**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**  
**ORAL ORDER**

2      03-01-2018      Heard the learned counsel for the petitioners and learned  
counsel for the State.

The petitioners seek anticipatory bail in connection with Deo  
PS case no. 85 of 2017 registered for the offences punishable  
under Section 302/34 of Indian Penal Code.

The allegation levelled in the written report of the informant  
is that his daughter was married to one Balendra Yadav in the year  
2009, whereafter the accused persons kept on demanding dowry  
and finally on account of non-fulfillment of dowry, his daughter  
was murdered by the 'sasural' people.

Learned counsel for the petitioners has submitted that as far  
as the husband of the victim girl is concerned, he is in custody and  
the petitioner nos. 1 and 2 are the brother and in laws of the victim  
girl, whereas the petitioner no.3 is the father-in-law of the victim  
girl. It is further submitted that the petitioners live in Rajasthan



and work there for their livelihood and they have no concern with the demand of dowry. It is further submitted that the victim girl was ailing since a long time and the entire family members pulled in their resources to get her treated, however, she could not survive. Referring to the postmortem report produced before this Court, it is submitted that there are no marks of external injury and the same does not suggest that the victim girl has been murdered. It has lastly been submitted that the petitioners have clean antecedent.

Having regard to the facts and circumstances of the case, more particularly the fact that the husband is in custody, in the event of arrest or surrender within six weeks before the learned trial court the petitioners above named are directed to be released on anticipatory bail on furnishing bonds of Rs. 10,000/- (Rs. Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Aurangabad in connection with Deo PS case no. 85 of 2017, subject to the conditions enumerated under Section 438(2) of Code of Criminal Procedure.

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**(Mohit Kumar Shah, J)**

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