

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6399 of 2020

Arising Out of PS. Case No.-162 Year-2019 Thana- MOKAMAH District- Patna

1. RAM DAYAL YADAV Son of Late Sonelal Yadav
2. Balo Yadav @ Balo Kumar Son of Late Sone Lal Yadav
3. Tushi Devi Wife of Ram Dayal Yadav
All Resident of Village - Kanhaipur, P.S.- Mokama, District- Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhim Sen Prasad
For the Opposite Party/s : Mr.Satyavrat Verma

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

(The proceedings of the Court are being conducted through Video Conferencing and the Advocates joined the proceedings through Video Conferencing from their residence.)

3 07-09-2020 Heard learned counsel for the petitioners and
learned counsel for the State.

Petitioners, apprehends their arrest in a case registered for the offences punishable under Sections 302, 201, 34 of the IPC and Section 3/4 of Dowry Prohibition Act.

Allegation against the FIR named accused including the petitioners is to have killed the daughter of the informant by sprinkling kerosene oil over her body due to non-fulfillment of demand of dowry.

It is submitted on behalf of learned counsel for the petitioners that they are innocent and have falsely been



implicated in this case. It is further submitted that petitioner nos.1 and 2 are Bhaisur and petitioner no.2 is Gotni of deceased. It is further submitted that from perusal of the case diary, it is clear that daughter of the informant committed suicide by sprinkling kerosene oil over her body and put her on fire and sustained burn injuries and she succumbed to injuries during treatment. Petitioners have clean antecedent.

Considering the facts and circumstances of the present case, let petitioner, above named, in the event of arrest or surrender within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on pre-arrest bail on furnishing bail bond of Rs. 20,000/- (twenty thousand only) with two sureties of the like amount each to the satisfaction of learned court below where the case is pending, in connection with Mokama P.S. Case No. 162/2019, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioners shall co-operate in the trial and shall be present on each and every date fixed by the court and their



absence on two consecutive dates without proper and reasonable reason will be sufficient to cancel their bail bonds.

(3) If the petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(S. Kumar, J)

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