

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12319 of 2020

Arising Out of PS. Case No.-298 Year-2018 Thana- SIKANDRA District- Jamui

1. SURESH YADAV Son of Mahadeo Yadav Resident of Village- Pachmahua, P.S.- Sikandra, Distt- Jamui.
2. Rahul Kumar @ Rahul Yadav Son of Naresh Yadav Resident of Village- Pachmahua, P.S.- Sikandra, Distt- Jamui.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners : none

For the Opposite Party/s : Mr.Ram Sumiran Rai, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 07-09-2020 Heard learned counsel for the parties, through video conferencing.

The petitioners have filed the instant application for grant of anticipatory bail in connection with Sikandara P.S. Case No. 298 of 2018 registered under sections 304B, 323, 341, 498A and 34 of the Indian Penal Code and sections 3 and 4 of the Dowry Prohibition Act.

As per allegation in the FIR, the daughter of the informant was married to the son of petitioner no. 1 in May, 2017. It is submitted that the informant gave dowry as per his capacity. In January, 2018, the accused persons tortured and beat up his daughter for non fulfillment of demand of a fridge and a



motorcycle. She was taken to the Sadar Hospital, Jamui for treatment where she died and information was given to the informant on telephone.

On perusal of the record it transpires that in course of investigation, it has come that the daughter of the informant had come to her parents place and from there she was admitted to Jamui Sadar Hospital where she died in course of treatment. On receiving the information of death, the persons from her in-laws place reached there and the informant carried out her last rites. On investigation, the allegations were found to be false and a final form was directed to be submitted. It also transpires that the petitioners have no criminal antecedent.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the relationship of the two petitioners who are father-in-law and cousin brother-in-law of the deceased together with the case against the accused persons not having been found to be true, the Court is inclined to enlarge the petitioners on anticipatory bail. The petitioners are directed to surrender in the Court below within a period of eight weeks from today and in the event of their arrest or surrender in



connection with Sikandara P.S. Case No. 298 of 2018, they shall be enlarged on bail on each of them on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Jamui subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Partha Sarthy, J)

sushma/-

U		T	
---	--	---	--

