

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21844 of 2020**

Arising Out of PS. Case No.-77 Year-2016 Thana- MAHKAR District- Gaya

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Surajdeo Yadav @ Surajdeo Prasad, son of Bhagwan Prasad Yadav @ Bhagwan Yadav, resident of village Larkiya, Police Station Mahkar, District Gaya

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Birendra Kumar

For the Opposite Party/s : Mr. Ashok Kumar Singh

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**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER**

3 26-08-2020 Heard learned Counsel for the petitioner and learned Additional Public Prosecutor appearing for the State, through video conferencing.

The petitioner seeks regular bail in connection with Mahkar Police Station Case No. 77 of 2016, registered for the offences punishable under Sections 304-B/201/34 of the Indian Penal Code.

The allegation, as per the First Information Report, is that the sister of the informant was married to the son of the petitioner in the year 2008. It has been alleged that the husband of the deceased used to demand a motorcycle as dowry and due to non-fulfillment of the same, the sister of the informant, along with his nieces (bhagani), Dolly Kumari and Reshmi Kumari,



have been killed by the accused persons, including the petitioner by setting them on fire after pouring kerosene on their bodies and the dead bodies were cremated without any information to the police.

Learned Counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged inasmuch as from perusal of the First Information Report, it would be evident that the allegation of demand of dowry, at all, was there against the son of the petitioner i.e. the husband of the deceased. He further submits that the husband of the deceased has been granted bail by the Court below itself and the devar of the deceased has also been granted bail by this Court. He also submits that in course of investigation, it has come to light that that the deceased, along with her two daughters, had committed suicide by sprinkling kerosene on their bodies.

On the other hand, learned Additional Public Prosecutor vehemently opposes the prayer for bail and submits that the First Information Report was lodged in the year 2016 and the anticipatory bail application of the petitioner was dismissed in the year 2017, but the petitioner, in order to delay the trial, has surrendered in the year 2020.

After having heard learned Counsel for the parties and



taking into consideration the materials on record, I am inclined to grant regular bail to the petitioner **after framing of charge**.

This application is allowed.

Accordingly, let the petitioner, above named, be released on bail, **after framing of charge against the petitioner**, upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IX, Gaya, in connection with Mahkar Police Station Case No. 77 of 2016.

This is subject to the condition that the petitioner shall present himself before the Court, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bond shall be liable to be cancelled.

It is made clear that at the time of furnishing bail bonds, all the parties shall follow the guidelines regarding lockdown and social distancing.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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