

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11097 of 2022

Arising Out of PS. Case No.-98 Year-2020 Thana- BHAGWANGANJ District- Patna

1. Chhotan Yadav @ Kaimpi Yadav Son of Late Umesh Yadav Resident of Village- Pansari, P.S.- Bhagwanganj, District- Patna.
2. Kapuri Devi W/o Late Umesh Yadav Resident of Village- Pansari, P.S.- Bhagwanganj, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Naresh Ray, Advocate

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

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 11-07-2022 Heard learned counsel appearing on behalf of the
petitioners and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioners seek bail in connection with
Bhagwanganj P.S. Case No. 98 of 2020 registered for the
offence under Sections 304(B), 201 and 34 of the Indian Penal
Code.

Both the accused/petitioners are named in the F.I.R.
and is in custody since 31.05.2021.

The allegation against the petitioners is to cause death
of sister of the informant due to non-fulfillment of demand of



dowry of Rs. 2,00,000/- and one golden chain.

Learned counsel appearing on behalf of the petitioners submitted that both the petitioners are in-laws (petitioner no. 1 brother-in-law and petitioner no. 2 is mother-in-law) having no connection with daily affairs of the deceased. It has further been submitted that specific allegation as regard to causing death and demanding dowry is against co-accused, namely, Manoj Kumar Yadav, who is husband of the deceased. It has further been submitted that the petitioners are man of clean antecedent. While concluding the argument, it has been submitted that investigation has been completed, for which, charge-sheet has already been submitted in this case, where petitioners were not found involved, in the present occurrence.

Learned APP, while opposing the prayer of bail, fairly conceded the fact that both the petitioners are in-laws of the deceased.

Considering the facts and circumstances as mentioned above, both the petitioners are in-laws of the deceased, living separately, where specific allegation of demand of dowry is against the husband of the deceased coupled with the fact that charge-sheet has been submitted, let both the petitioners, above named, are directed to be released on bail in connection with



Bhagwanganj P.S. Case No. 98 of 2020 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge, Masaurhi, District- Patna/concerned court, subject to the following conditions:

“(i) Accused/Petitioner shall cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court, only on medical ground of the petitioner duly supported by the documents.

(ii) That one of the bailors shall be Subodh Kumar, who is the son-in-law (Damad) of the petitioner and deponent of the present bail petition.”

(Chandra Shekhar Jha, J)

S.Katyayan/
R.S.Sen/-

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