

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50440 of 2021

Arising Out of PS. Case No.-240 Year-2020 Thana- PHULPARAS District- Madhubani

Shivshankar Yadav @ Shankar Yadav S/O Rajendra Yadav R/O Village-
Inarwa, Hullaspatti, P.S-Ghoghardiha, District-Madhubani.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 48241 of 2021

Arising Out of PS. Case No.-240 Year-2020 Thana- PHULPARAS District- Madhubani

Sharmila Devi W/O Shiv Shankar Yadav @ Shankar Yadav R/O Village-
Inarwa, Hullaspatti, P.S-Ghoghardiha, District-Madhubani, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 50440 of 2021)

For the Petitioner/s : Mr.Shivnandan Bharti, Adv

For the Opposite Party/s : Mr.Satyadeo Singh Yadav

(In CRIMINAL MISCELLANEOUS No. 48241 of 2021)

For the Petitioner/s : Mr.Shivnandan Bharti

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

4 08-08-2022 Let the defects, if any, be removed within four weeks
from today.

Heard learned counsel for the petitioners as well as
learned Additional Public Prosecutor for the State.

Petitioners seek bail in a case registered in connection
with Phulparas P.S.Case No. 240 of 2020 for the offences punishable



under Sections 304B, 201/34 of the Indian Penal Code.

As per the prosecution case, it is alleged that the marriage of the daughter of the informant was solemnized in the year 2019 and at the time of marriage the informant has given dowry/ gift as per his capacity thereafter, soon after their marriage, the deceased was subjected to torture for demand of dowry by the accused persons. It is further alleged that on 31.05.2020, the informant received an information that his daughter has been killed by all the accused persons.

Learned counsel for the petitioners submits that petitioners happen to be brother -in-law and Nanad of the deceased and they lived separately in a different accommodation. It is further submitted that there is general and omnibus allegation against all the accused persons including this petitioners and moreover, the husband of the deceased is in custody. It is next submitted that the petitioners are in custody since 27.02.2021 having clean antecedent. After completion of the investigation charge sheet has been submitted.

On the other hand, learned counsel for the State opposed the bail application of the petitioners.

Having heard the rival contentions of the parties and taking into consideration the fact that petitioners are brother-in-law and Nanad of the deceased and they have been living in a different accommodation and they are in custody since 27.02.2021, though after completion of investigation charge sheet has been submitted,



let the petitioners, above named, be released on bail on furnishing bail bonds of Rs. 20,000/- (Twenty Thousand)each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate,-II Jhanjharpur, Madhubani in connection with Phulparas P.S.Case No. 240 of 2020 subject to the condition that one of the bailors will be the close relatives of the petitioners with further conditions which are as follows:-

(i) The petitioners will cooperate in conclusion of the trial.

(ii) they will remain present on each and every date of trial till disposal of the case.

(iii) they will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, their bail bonds will liable to be cancelled.

(Harish Kumar, J)

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