

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42139 of 2022

Arising Out of PS. Case No.-18 Year-2022 Thana- JAYRAMPUR District- Sheikhpura

1. Rajo Yadav Son of Late Ram Swaroop Yadav Resident of Village - Kashibigha, P.S.- Jairampur, Dist.- Sheikhpura.
2. Malti Devi Wife of Rajo Yadav Resident of Village - Kashibigha, P.S.- Jairampur, Dist.- Sheikhpura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 43213 of 2022

Arising Out of PS. Case No.-18 Year-2022 Thana- JAYRAMPUR District- Sheikhpura

1. Rajeev Kumar Son of Rajo Yadav Resident of village - Kashibigha, P.s.- Jairampur, Dist.- Sheikhpura.
2. Shiv Kumar Son of Rajo Yadav Resident of village - Kashibigha, P.s.- Jairampur, Dist.- Sheikhpura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 42139 of 2022)

For the Petitioner/s : Ms. Kumari Anupam, Advocate

For the Opposite Party/s : Mr. Anant Kumar 1, A.P.P.

(In CRIMINAL MISCELLANEOUS No. 43213 of 2022)

For the Petitioner/s : Mr. Kumari Anupam, Advocate

For the Opposite Party/s : Mr. Dr. Kumar Uday Pratap, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 06-12-2022 Heard learned counsel for the petitioners and learned
counsel appearing on behalf of the informant and learned A.P.P.
for the State.

Learned counsel for the petitioners is permitted to



remove the defect(s), as pointed out by the office, if any, within a period of four weeks from today.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 304B, 120(B) and 34 of the Indian Penal Code.

According to the prosecution case, the daughter of the informant was killed by her in-laws (petitioners) due to non-fulfillment of demand of dowry.

Learned counsel for the petitioners submits that the petitioners have clean antecedent and the have falsely been implicated in the present case. He further submits that it appears from the F.I.R. that there is general and omnibus allegation against all the accused persons and there is specific allegation of assault and demand of dowry against the husband of the deceased. He further submits that the petitioners are in-laws of the deceased where petitioner No. 1 is mother-in-law, petitioner No. 2 is father-in-law, petitioner No. 3 and 4 are brothers-in-law. He further submits that they have no concern at all with the family affairs of the deceased and they are living separately. He further submits that the husband of the deceased is in custody.

The learned counsel for the informant has vehemently opposed the prayer for bail of the petitioners and



submits that there is direct allegation of demand of dowry against the petitioners.

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Jairampur P.S. Case No. 18 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

1. Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

2. If the petitioners tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

3. And further condition that the court below shall



verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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