

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60387 of 2021

Arising Out of PS. Case No.-100 Year-2021 Thana- ATRI District- Gaya

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1. Naresh Yadav, Son of Late Rambriksh Yadav, Resident of Village- Jamlapar, P.S.- Atri, District- Gaya.
 2. Kamla Devi, Wife of Naresh Yadav, Resident of Village- Jamlapar, P.S.- Atri, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar Singh, Advocate
For the Opposite Party/s : Mr. Nand Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 13-04-2022 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.

Heard learned counsel for the petitioners and learned APP for the State.

The petitioners seek regular bail, who are in custody in connection with Atri P.S. Case No. 100 of 2021 for the offences punishable under Sections 304B/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 with Baliram Yadav, the son of petitioner, just four years before. It is



further alleged that all the accused persons started demanding Rs. 2 lakh and when the demand has not been fulfilled, all the accused persons killed his daughter by assaulting with Lathi and Paina.

It is submitted on behalf of the learned counsel for the petitioners that both the petitioners are father-in-law and mother-in-law respectively and there is no specific allegation against them. It is further submitted that both the petitioners have been living separately since long from the deceased and her husband and they have no concern with them. It is further submitted that the husband of the deceased is already in judicial custody, apart from the fact that the investigation of the case has already been concluded and charge-sheet has also been submitted. It is lastly submitted that the petitioners have no criminal antecedent and they are in custody since 21.06.2021 and 10.07.2021 respectively.

On the other hand, learned APP for the State opposes the prayer for bail of the petitioners and submits that the petitioners are father-in-law and mother-in-law of the deceased and there is general and omnibus allegation against them.

Having considered the submissions made on behalf of the parties and taking into consideration this fact that there are



general and omnibus allegation against the petitioners, who are father-in-law and mother-in-law and, moreover, the husband of the deceased is already in judicial custody, apart from the fact that the petitioners are in judicial custody since 21.06.2021 and 10.07.2021 respectively, let the petitioners, named above, be released on bail on furnishing bail bonds of Rs.20,000/- (Rupees twenty thousand) each with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate-XIII, Gaya in connection with Atri P.S. Case No. 100 of 2021 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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