

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58637 of 2022

Arising Out of PS. Case No.-149 Year-2022 Thana- CHAKIA District- East Champaran

1. Suresh Yadav @ Khedu Yadav Son of Late Tahshildar Rai Resident of Village- Koyla Belwa, P.S.- Chakia, District- East Champaran
2. Sikanti Devi Wife of Suresh Yadav @ Khedu Yadav Resident of Village- Koyla Belwa, P.S.- Chakia, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh, Advocate

For the Opposite Party/s : Mr. Ajay Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 16-12-2022 Heard learned counsel for the petitioners and learned
APP for the State in Virtual Court Proceeding.

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

Allegation against the petitioners is of committing torture and caused death of the victim due to non-fulfillment of demand of dowry.

Learned counsel for the petitioners submits that the petitioners have clean antecedents and they have been falsely implicated in the present case only on the basis of suspicion. He further submits that in fact the petitioner no. 1 is father-in-law



and petitioner no. 2 is mother-in-law of the deceased. He further submits that in fact the deceased has committed suicide and petitioners have no concern at all with the alleged occurrence and in fact they are living at Chhatisgarh and they have no concern at all with the family affairs of the deceased. He further submits that the husband of the victim is in judicial custody since 17.06.2022.

Learned APP for the State has opposed the prayer for bail of the petitioners.

Considering the facts and circumstances of the case, let the petitioners, above named, in the event of his 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/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Chakiya P.S. Case No. 149 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 bonds shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the witness, 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 antecedents, the court below shall take step for cancellation of bail bond of the petitioner. 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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