

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.298 of 2022

Arising Out of PS. Case No.-200 Year-2021 Thana- SANDESH District- Bhojpur

1. Mahendra Yadav, Son of Late Indradeo Yadav, Resident of Village-Khutyari, Police Station- Sandesh, District- Bhojpur.
2. Sanjoti Devi @ Sundari Devi, W/o Mahendra Yadav, Resident of Village-Khutyari, P.S.- Sandesh, District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nihar Nandan Ambasta, Advocate

For the Opposite Party/s : Mr.Vinod Shanker Modi, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 18-10-2022 Today a supplementary affidavit has been filed on behalf of the petitioners in the Court, which is taken on record.

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

Let the defect (s), as pointed out by the office, be removed within a period of four weeks.

In the present case, the petitioners seek bail in connection with Sandesh P.S. Case No. 200 of 2021 registered for the alleged offences under Sections 302, 201 and 34 of the Indian Penal Code.

As per prosecution case, the petitioners are parents-in-law of the deceased daughter of the informant. The allegation



against them is that they along with other co-accused persons killed the daughter of the informant.

The learned counsel for the petitioners submits that petitioners have been falsely implicated in this case merely on suspicion of the informant that petitioners and other co-accused persons caused the death of his daughter. There is no eye witness to the alleged occurrence. It is not believable that dowry will be demanded after 11 years of marriage when the deceased had given birth to two sons who are aged about 7 and 9 years, respectively. The deceased was a quarrelsome lady and she committed suicide and reasons for the same is not known to the petitioners who live separately from their son. After suicide of the daughter of the informant, her sons informed the petitioners and the same information was conveyed to the informant and with his consent her dead body was cremated and the informant was also present there at the time of the cremation of the dead body. But after due deliberation and after-thought, the informant lodged the case after three days of occurrence. The learned counsel further submits that the co-accused husband has surrendered before the learned trial court. The petitioners are in custody since 10.10.2021 and the charge sheet has been submitted.



Learned APP opposes the submission made on behalf of the petitioners. Learned APP submits that the informant has specifically named the petitioners for causing the death of his daughter.

Perused the records.

Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that the petitioners are stated to be the parents-in-law of the deceased and are in custody since 10.10.2021 and the charge-sheet has been submitted in this case, the petitioners above named are directed to 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 Judicial Magistrate -1st Class, Bhojpur at Ara, in connection with Sandesh P.S. Case No. 200 of 2021, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the following conditions :

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates



or in violation of the terms of the bail, the bail
bonds of the petitioners will be liable to be
cancelled by the court concerned.

(Arun Kumar Jha, J)

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