

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3978 of 2023

Arising Out of PS. Case No.-63 Year-2020 Thana- LAUKAHI District- Madhubani

DEVKARAN YADAV Son of Late Raghubir Yadav R/V- Tharhi, P.S-
Laukahi, Dist- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Thakur, Advocate
Mrs. Vaishnavi Singh, Advocate
For the Opposite Party/s : Mr. Tapeswar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 11-07-2023 Heard Mr. Ajay Kumar Thakur, learned counsel for
the petitioner and learned Additional Public Prosecutor for the
State.

Petitioner seeks bail, who is in custody since
20.04.2022 in connection with Laukahi P.S. Case No. 63 of
2020, F.I.R. dated 10.04.2020 for the offences punishable under
Sections 304(B), 302, 201, 120(B) of the Indian Penal Code.

Allegation against the petitioner is that he along with
his family members killed the daughter of the informant on the
pretext of non-fulfillment of demand of dowry.

Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been
implicated in the present case. He further submits that bare
perusal of F.I.R. it appears that there is general and omnibus
allegation against all the accused persons including the



petitioner and there is no specific allegation of any assault or overt-act is attributed against the petitioner. He further submits that there is bold statement in the F.I.R. that all the accused persons has demanded dowry from the family member of the deceased. The petitioner is father-in-law of the deceased. He further submits that similarly situated, co-accused, namely, Rohit Yadav @ Rohit Kumar Yadav and Gayatri Devi who is happened to be son and wife of the petitioner have been granted bail by a co-ordinate Bench of this Court vide order dated 15.11.2022 passed in Cr. Misc. No. 30710 of 2022. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in judicial custody since 20.04.2022.

The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-I, Jhanjharpur, Madhubani in connection with Laukahi P.S. Case No. 63 of 2020, subject to the following conditions:-



1. Petitioner 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 his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. If the petitioner 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 petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, 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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