

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19346 of 2023

Arising Out of PS. Case No.-64 Year-2021 Thana- DHANGAI District- Gaya

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1. Nandkeshwar Yadav @ Nand Kishore Yadav, S/O Late Pun Yadav R/O Village- Bela, P.S- Dhangai, Distt.- Gaya.
 2. Basanti Devi, W/O Nandkeshwar Yadav @ Nand Kishore Yadav R/O Village- Bela, P.S- Dhangai, Distt.- Gaya.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Singh

For the Opposite Party/s : Mr.Yogendra Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 31-07-2023 1. Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 304(B)/ 34 of the Indian Penal Code.

3. The learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and the informant alleges that his sister was married with Akhilesh Yadav in the Year 2021. After marriage, accused persons started demanding Rs.3 Lacs by way of dowry. Further, on account of non-fulfilment of the demand, his sister was set ablaze after pouring kerosene oil and was taken to Magadh Medical College



and Hospital, Gaya by Nand Kishore Yadav (petitioner no.1), from there, she was referred to P.M.C.H. and thereafter, taken to RIMS, Ranchi, where she died on 06.08.2021.

4. The learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case being father in-law and mother in-law of the deceased. It is next submitted that from perusal of the allegation as alleged in the F.I.R., it would manifest that the informant himself states that after her sister received burn injuries, she was taken to various hospitals and during course of treatment, she died. It is next submitted that petitioner no.1 had taken the victim to the hospital as stated in the F.I.R. It is further submitted that even allegation of demand of dowry and torture is general and omnibus in nature. It is next submitted that whenever said occurrence takes place, the entire family members of the husband get implicated in a mechanical manner.

5. Learned A.P.P. opposes the bail application.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners, above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 10,000/-



(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., Sherghati, Gaya in connection with Dhangai P. S. Case No.64 of 2021, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

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