

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24916 of 2023

Arising Out of PS. Case No.-35 Year-2020 Thana- DUMARIYA District- Gaya

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1. KAMLESH YADAV son of Vishwanath Yadav Village- Kolhubar Ps- Dumariya Dist- Gaya
 2. Runiya Devi wife of Vishwanath Yadav Village- Kolhubar Ps- Dumariya Dist- Gaya
 3. Vishwanath Yadav son of Late Bhikhan Yadav Village- Kolhubar Ps- Dumariya Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Javed Jafar Khan
For the Opposite Party/s : Mr. Ramchandra Sahni

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 19-04-2023 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners have renewed their prayer for bail in connection with Dumariya Police Station Case no. 35 of 2020 registered under section 304(B)/34 of the Indian Penal Code dated 05.07.2020.

This is the second attempt for bail on behalf of the petitioners inasmuch as earlier the bail application of the petitioners was rejected *vide* order dated 08.02.2022 passed in Criminal Miscellaneous No. 49580 of 2021.

As per the prosecution story, the petitioners alongwith



other accused persons tortured physically and mentally to the daughter of the informant who was married to the co-accused, Mithilesh Yadav about 5-6 years back and on the date of occurrence when the son of the informant had a telephonic talk with the deceased, she informed her brother that the accused persons did not provide food to her and also assaulted her due to non fulfillment of the demand of dowry.

Learned counsel for the petitioners submits that the petitioners are father-in-law, mother-in-law and brother-in-law (Devar) and are in custody since 06.03.2021. This Court while rejecting bail of the petitioners had given liberty to them to renew their prayer for bail after one year.

Regards being had to the submissions made by the parties and taking into consideration the fact that the petitioners have remained in custody for more than two years. The petitioners are relatives of the husband and there is no likelihood that the petitioners will abscond and/or temper with the evidence.

Accordingly, I am inclined to grant regular bail to the petitioners.

Let the petitioners, Kamlesh Yadav, Runiya Devi and Vishwanath Yadav, 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 learned Additional District & Sessions Judge, Sherghati, Gaya in connection to the Dumariya Police Station Case no. 35 of 2020 registered under section 304(B)/34 of the Indian Penal Code.

This is subject to the condition that the petitioners shall present themselves before the Court, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bond shall be liable to be cancelled.

(Anil Kumar Sinha, J)

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