

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47497 of 2023

Arising Out of PS. Case No.-308 Year-2022 Thana- PARAIYA District- Gaya

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1. REETA DEVI WIFE OF JAWAHAR YADAV @ JAMAHIR YADAV R/O-SWAMI BIGHA, P.S.-PARAIYA, DISTT.-GAYA
 2. JAWAHAR YADAV @ JAMAHIR YADAV SON OF BHUKHAN YADAV R/O-SWAMI BIGHA, P.S.-PARAIYA, DISTT.-GAYA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailesh Kumar, Advocate

For the Opposite Party/s : Mr. Braj Kishore Pd., APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 11-08-2023

Heard the parties.

The petitioners are apprehending their arrest in connection with Paraiya P.S. Case No. 308 of 2022 for the offence under section 304(B)/34 of the I.P.C. lodged on 03.09.2022 by the informant, Baiju Yadav.

As per the prosecution story, the informant alleged that his daughter was married to Bimlesh Yadav in 2017 but was always tortured for dowry and later, came to know about her death. Accordingly, the F.I.R.

Learned counsel for the petitioners submit that they are parents, living separately, though in a joint house and further, it was a case of suicide, but have been given color of



murder.

Learned APP opposes the prayer.

Considering the fact that the petitioners are aged parents, in-laws of the deceased, F.I.R. lodged and ultimately, will have to face the trial, this Court is inclined to extend them the privilege of anticipatory bail with conditions.

Let the petitioners be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Gaya, in connection with Paraiya P.S. Case No. 308 of 2022 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial Court itself;

(iii) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences,



failing which the State shall be at liberty to take steps for
cancellation of the bail bonds;

(iv) the petitioners shall desist from committing any
criminal offence again, failing which the State shall be at liberty
to take steps for cancellation of their bail bonds.

With the aforesaid observations, the anticipatory bail
application is allowed.

(Rajiv Roy, J)

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