

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53684 of 2022

Arising Out of PS. Case No.-308 Year-2022 Thana- BANKA District- Banka

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1. KALESHWAR YADAV Son of Hirdu Yadav Resident of Village - Shasan, P.S.- Banka, District - Banka.
 2. Kaili Devi Wife of Kaleshwar Yadav Resident of Village - Shasan, P.S.- Banka, District - Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bharat Lal

For the Opposite Party/s : Mr.Gulnar Begum

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

2 31-01-2023 Learned counsel for the petitioners is directed to remove all the defects pointed out by the Stamp Reporter within one month.

Heard learned counsel for the petitioners as well as the learned APP for the State.

The petitioners apprehend their arrest in connection with Banka P.S. Case No. 308 of 2022, registered for the offences punishable under Sections 498A, 304B, 328, 34 of the Indian Penal Code.

As per allegation, the marriage of Manita Devi (deceased), the daughter of the informant, was solemnized with co-accused Laxman Yadav in the year 2008. Laxman Yadav, the husband, had illicit relation with one Urmila Devi. On protest, Lakshman Yadav had threatened to kill his wife Manita Devi. He also demanded a motorcycle and Rs. 3 lacs cash. Due to non-fulfillment of dowry demand, the accused persons, including the petitioners strangled



the deceased to death.

The learned counsel for the petitioners has submitted that the petitioners are mother and father of Laxman Yadav and they have no concern with the alleged occurrence. The allegation of demand of dowry and to threaten the deceased is only against Laxman Yadav, and not against the petitioners. They have falsely been implicated merely because they are parents of co-accused Laxman Yadav, who is still under custody. The allegation against the petitioners is general and omnibus.

Considering the above-mentioned facts and circumstances, let the petitioners, in the event of their arrest or surrender within four weeks before the learned court below, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka in connection with Banka P.S. Case No. 308 of 2022, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Office shall ensure that all defects are removed by the petitioners within the stipulated time provided in para-1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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