

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55398 of 2023

Arising Out of PS. Case No.-190 Year-2023 Thana- TEKARI District- Gaya

1. Vijay Yadav Son Of Late Sunder Yadav @ Sundradev Yadav Resident Of Village - Narayanpur, P.S. - Tekari, District - Gaya. At Present Resides At Mohalla - Titaiganj Dahiyartola, P.S. - Tekari, District - Gaya
2. Bhagwati Devi Wife Of Vijay Yadav Resident Of Village - Narayanpur, P.S. - Tekari, District - Gaya. At Present Resides At Mohalla - Titaiganj Dahiyartola, P.S. - Tekari, District - Gaya
3. Ravish Ranjan Son Of Vijay Yadav Resident Of Village - Narayanpur, P.S. - Tekari, District - Gaya. At Present Resides At Mohalla - Titaiganj Dahiyartola, P.S. - Tekari, District - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Arvind Kumar Singh, Advocate
For the Informant	:	Mr. Manish Kumar No. 2, Advocate
For the State	:	Mr. Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 08-11-2023 Heard Mr. Arvind Kumar Singh, learned counsel for the petitioners, Mr. Manish Kumar No. 2, learned counsel appearing on behalf of the Informant and Mr. Bhanu Pratap Singh, learned APP for the State.

2. The petitioners are apprehending their arrest in connection with Tekari P.S. Case No. 190 of 2023, F.I.R. dated 21.03.2023 registered for the offences punishable under Section 304(B)/34 of the Indian Penal Code.

3. Allegation against the petitioners is of committing torture and caused death due to non-fulfillment of demand of



dowry.

4. Learned counsel for the petitioners submits that the petitioners have clean antecedents and they have been falsely implicated in the present case merely on the ground that the petitioners are in-laws of the deceased and from perusal of the F.I.R. it appears that there is no allegation of any assault or overt act attributed against the petitioners rather there is general and omnibus allegation against all the accused persons including the petitioners. He further submits that petitioner no. 1 is father-in-law and petitioner no. 2 is the mother-in-law and petitioner no. 3 is the brother-in-law of the deceased and husband of the deceased who happens to be the son and brother of the petitioners is in judicial custody.

5. Learned counsel appearing on behalf of the Informant as well as learned APP for the State opposed the prayer for anticipatory bail of the petitioners and submits that there is specific allegation against the petitioners that they have assaulted the deceased.

6. Considering the facts and circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of



learned A.C.J.M. VI, Gaya in connection with Tekari P.S. Case No. 190 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions :-

(1) Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the witness, 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 petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. 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)

Ibrar//-

U		T	
---	--	---	--

