

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56863 of 2023

Arising Out of PS. Case No.-91 Year-2023 Thana- KASHICHAK District- Nawada

1. Babulal Yadav Son Of Late Ramrup Yadav Resident Of Village Uprama Ps Kashichak Dist Nawada
2. Tanpurgi Devi @ Suchita Devi @ Tanpuji Devi Wife Of Babulal Yadav Resident Of Village Uprama Ps Kashichak Dist Nawada

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Sheo Kumar Prasad, Advocate
For the Opposite Party/s : Mr.Pramod Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 30-08-2023 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners, in the present case, are seeking pre-arrest bail in connection with Kashichak P.S. Case No. 91 of 2023 registered for the offences punishable under Sections 302, 201 & 34 of the Indian Penal Code. They have no criminal antecedent as stated in paragraph '3' of the application.

3. As per the prosecution story, it is alleged that the daughter of the informant was married with Krishna Yadav and when she became ill, her husband pressurized her to work in the field. The daughter of the informant came to her matrimonial home thereafter all the accused persons came there and taken away and killed her. The informant received information about



the occurrence when he reached there funeral of his daughter was going on.

4. Learned counsel for the petitioners submits that petitioners have been falsely implicated in this case. Learned counsel submits that the main allegation is against the husband of the deceased who is in judicial custody, these petitioners are said to be the father-in-law and mother-in-law of the deceased.

5. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioners.

6. Having regard to the facts and circumstances of the case wherein it is the submission of learned counsel for the petitioners that the thrust of the allegation is against the husband of the deceased who was allegedly insisting her to work in the field, even though the deceased was not maintaining good health, these petitioners are said to be the father-in-law and mother-in-law respectively of the deceased and there is no specific allegation against them that they were ever pressurizing the deceased to work in the field or otherwise indulged in committing any torture upon the deceased, the allegations are general and omnibus and the submission that these petitioners have no concern with the household of their married son, the husband of the deceased is already in judicial custody, hence,



this Court directs that in case of their arrest/surrender within a period of four weeks from today, let the petitioners above-named be enlarged on bail on furnishing of bail bond of Rs. 25,000/- (twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M. - VI, Nawada in connection with Kashichak P.S. Case No. 91 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. 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 antecedent, 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.

(Rajeev Ranjan Prasad, J)

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