

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10971 of 2024

Arising Out of PS. Case No.-287 Year-2022 Thana- PARAIYA District- Gaya

1. Krishna Yadav S/O Late Badri Yadav R/O Village- Baikatpur, Ps.- Paraiya, Dist.- Gaya (Bihar).
2. Mithlesh Yadav S/O Krishna Yadav R/O Village- Baikatpur, Ps.- Paraiya, Dist.- Gaya (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

.. .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aryan Singh, Advocate

For the Opposite Party/s : Mr.Shantanu Kumar, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 22-02-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners seek regular bail in connection with
Paraiya P.S. Case No. 287/2022 lodged on 27.08.2022 under
Sections 302, 201/34 of the Indian Penal Code.

3. As per the prosecution case, the FIR has been
lodged against five named accused persons including the present
petitioner to the effect that the marriage of the daughter of the
informant was performed with the son of petitioner no-1, who
along with other family members have killed the daughter of the
informant.

4. Learned counsel for the petitioners submits that the
petitioners are innocent and have committed no offence. The
trial has been completed against the husband of the deceased



and he has been acquitted. Petitioner no.1 is father-in-law whereas petitioner no.2 brother-in-law of the deceased are languishing in custody since 15.03.2023 without any fault. The petitioners are accused in one more criminal case and the chargesheet has already been filed.

5. Learned counsel for the State opposes the prayer for bail and submits that it transpires that earlier petitioners were absconded and due to this reason, the trial was bifurcated and was completed only against the husband of the victim. It is true that the husband of the deceased has been acquitted in this case.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioners above named be released on bail, **but only after framing of charge, if not framed**, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) each with two sureties of the like amount each to the satisfaction of learned J.M. 1st Class, Gaya, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure.

(Dr. Anshuman, J)

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