

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20898 of 2024

Arising Out of PS. Case No.-98 Year-2023 Thana- KEWATI District- Darbhanga

1. Usha Devi W/o Sunner Yadav @ Sunnar Yadav R/o Vill - Badh Pokhar, P.S. - Keoti, Dist. - Darbhanga
2. Sunner Yadav @ Sunnar Yadav S/o Ramdev Yadav R/o Vill - Badh Pokhar, P.S. - Keoti, Dist. - Darbhanga
3. Rahul Kumar @ Sehan Kumar @ Rohan Kumar S/o Sunner Yadav @ Sunnar Yadav R/o Vill - Badh Pokhar, P.S. - Keoti, Dist. - Darbhanga
4. Radha Kumari @ Radha D/o Sunner Yadav @ Sunnar Yadav R/o Vill - Badh Pokhar, P.S. - Keoti, Dist. - Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinay Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Syed Ehteshamuddin, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 04-04-2024 Heard Mr. Vinay Kumar Mishra, learned counsel for the petitioners and Mr. Syed Ehteshamuddin, learned APP for the State.

2. The petitioners are apprehending their arrest in connection with Keoti P.S. Case No. 98 of 2023, F.I.R. dated 02.04.2023 registered for the offences punishable under Sections 304(B) of the Indian Penal Code.

3. Allegation against the petitioners is that they along with other co-accused persons demanded dowry of Rs. 5,00,000/-, two wheeler vehicle and ornaments and due to non-fulfillment of the same they assaulted the informant's



daughter and killed her.

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. He further submits that from perusal of the F.I.R. it appears that there is no specific allegation of any assault or demand of dowry against the petitioners and the petitioner no. 1 is mother-in-law, petitioner no. 2 is father-in-law, petitioner no. 3 is brother-in-law and petitioner no. 4 is the sister-in-law of the deceased and the husband of the deceased namely Roushan Yadav is in judicial custody since 07.04.2023.

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

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 Chief Judicial Magistrate, Darbhanga in connection with Keoti P.S. Case No. 98 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)

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