

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17936 of 2024

Arising Out of PS. Case No.-7 Year-2021 Thana- KARAI PARSURAI District- Nalanda

Dinesh Yadav @ Dinesh Prasad, aged about 32 years (Male) son of Late Bishu Yadav (Sasur), Resident of Village- Sandh Ke Bigha, P.S- Karai Parsurai, District- Nalanda.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 19-04-2024 Heard Mr. Anil Kumar Singh, learned counsel appearing on behalf of the petitioner and Mr. Chandra Bhushan Prasad, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection with Karai Parsurai P.S. Case No. 07 of 2021, registered for the offence punishable under Sections 304(B), 201, 34 and 498(A) of the Indian Penal Code.

3. As per the allegation made in the FIR, the petitioner along with the other accused persons for non-fulfillment of demand of dowry had committed murder of the daughter of the informant and disposed of the dead-body of the deceased.

4. Learned counsel appearing on behalf of the petitioner submitted that petitioner is innocent and has falsely



been implicated in the present case. He further submitted that police has already submitted final form on 31.03.2021 before the learned Trial Court. Petitioner is the father-in-law of the deceased and had never subjected the daughter of the informant to cruelty, nor had demanded dowry anytime before the alleged murder of the daughter of the informant. Petitioner has clean antecedent. On these grounds, petitioner seeks to be released on pre-arrest bail.

5. Learned APP for the State submitted that as per the allegation made in the FIR, all the family members of the petitioner, after committing murder of the deceased, had disposed of the body in a clandestine manner and complicity of the petitioner in the alleged murder cannot be denied, as such, the petitioner does not deserve to be released on bail being the father-in-law of the deceased.

6. Considering the rival submissions made on behalf of the parties, as well as, the fact that the police has already submitted final form before the trial Court having found the petitioner to be innocent. The husband of the deceased has been released on bail by the learned trial Court. The allegation against the petitioner being vague and the petitioner having clean antecedent. I am of the opinion that petitioner has, *prima facie*,



made out a case to be released on pre-arrest bail.

7. The petitioner, above named, is directed to be released on pre-arrest bail, in the event of his/her arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Hilsa, Nalanda, in connection with Karai Parsurai P.S. Case No. 07 of 2021, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

8. The Court below is directed to verify the criminal antecedent of the petitioner as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioner as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J)

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