

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36144 of 2024

Arising Out of PS. Case No.-723 Year-2023 Thana- GAYA MUFFASIL District- Gaya

1. Mukesh Kumar @ Mukesh Kumar Yadav SON OF RAMBALI YADAV @ RAM BALI YADAV R/O - VILL- GOGA, P.S- MUFFASIL, DISTT- GAYA
2. SONI KUMARI D/O- RAMBALI YADAV @ RAM BALI YADAV R/O - VILL- GOGA, P.S- MUFFASIL, DISTT- GAYA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aryan Singh
For the Opposite Party/s : Mr. Atul Chandra

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 09-08-2024 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in a case in connection with Gaya Muffasil P.S. Case No. 723 of 2023 dated 02.07.2023 registered for the offence/s punishable u/s 304B read with section 34 of the Indian Penal Code.

3. As per the prosecution case, the petitioners and the co-accused persons are alleged to have killed the informant's daughter due to non-fulfillment of demand of Rs. Five lakhs as dowry.

4. Learned counsel for the petitioners has submitted that the petitioners have falsely been implicated in this case. The petitioner no. 1 is the brother-in-law and the petitioner no. 2 is the



sister-in-law of the deceased. The petitioners neither demanded any dowry nor tortured the deceased. There is general and omnibus allegation against the petitioners. The petitioners have no criminal antecedent as stated at para 3 of the bail petition. The co-accused has been granted anticipatory bail by this Court vide order dated 20.05.2024 passed in Cr. Misc. No. 30246 of 2024.

5. Learned counsel for the informant as well as learned A.P.P. for the State has vehemently opposed the anticipatory bail petition of the petitioners. It is submitted that the petitioners used to torture the deceased on account of dowry.

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) each with two sureties of the like amount each to the satisfaction of the learned court concerned, Gaya in connection with Gaya Muffasil P.S. Case No. 723 of 2023, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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