

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38338 of 2024

Arising Out of PS. Case No.-108 Year-2023 Thana- BARHARIA District- Siwan

1. Vakil Yadav @ Vakil Choudhary Son of Late Pitamber Yadav Residence of village - Chandraman Hata, P.S.- Barharia, Distt.- Siwan.
2. Ravi Yadav Son of Vakil Yadav @ Vakil Chaudhary Residence of village - Chandraman Hata, P.S.- Barharia, Distt.- Siwan.
3. Mukesh Yadav Son of Vakil Yadav @ Vakil Chaudhary Residence of village - Chandraman Hata, P.S.- Barharia, Distt.- Siwan.
4. Naina Devi Wife of Mukesh Yadav Residence of village - Chandraman Hata, P.S.- Barharia, Distt.- Siwan.
5. Pramila Devi Wife of Ashok Yadav Residence of village - Chandraman Hata, P.S.- Barharia, Distt.- Siwan.
6. Chinta Devi Wife of Sipahi Yadav Residence of village - Chandraman Hata, P.S.- Barharia, Distt.- Siwan.
7. Sharda Devi Wife of Vakil Yadav @ Vakil Chaudhary Residence of village - Chandraman Hata, P.S.- Barharia, Distt.- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumari Anupam, Adv

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 09-08-2024 Heard learned counsel for the petitioners and learned
APP for the State

2. The petitioners are apprehending their arrest in connection with Barharia P.S Case No. 108 of 2023 dated 29.03.2023 registered for the offence punishable u/s 304B, 201/34 of the I.P.C.

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. 5,00,000/- as dowry and thrown her dead body in the well.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioners neither demanded any dowry nor tortured the deceased. It is further submitted that the petitioner no. 1 is the cousin father-in-law, the petitioner no. 2 and 3 is the cousin devar, the petitioner no. 4 is the cousin sister-in-law, the petitioner no. 5 is the cousin devrani, the petitioner no. 6 is the cousin sister-in-law and the petitioner no. 7 is the cousin mother-in-law of the deceased. It is also submitted that there is no eye-witness of the occurrence alleging to the fact that the petitioners participated in the occurrence to kill the deceased. The petitioners have no criminal antecedent as stated in para 3 of the bail petition.

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

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 anticipatory bail on furnishing bail-bond of Rs.



20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Siwan, in connection with Barhariya P.S Case No. 108 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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