

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45928 of 2024

Arising Out of PS. Case No.-308 Year-2022 Thana- BANKA District- Banka

1. Urmila Devi W/o Nageshwar Yadav
2. Nageshwar Yadav S/o Kaleshwar Yadav
3. Sunil Yadav S/o Kaleshwar Yadav
4. Ramesh Yadav S/o Kaleshwar Yadav
5. Sarkal Yadav S/o Kaleshwar Yadav
6. Bicky Yadav S/o Kaleshwar Yadav
All Resident of village Shashan, P.S. - Banka, District. - Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar, Advocate
For the Opposite Party/s : Ms .Dr. Indihar Kumari, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 20-07-2024 1. Heard learned counsel for the petitioners and the
learned APP for the State.

2. The petitioners apprehend their arrest in connection
with Banka P.S. Case No. 308 of 2022 dated 13.05.2022
registered for the offence(s) punishable under Section(s) 498A,
304B, 328 read with Section 34 of the Indian Penal Code.

3. Mr. Praveen Kumar, learned counsel for the
petitioners submitted that all the petitioners are in-laws of the
deceased, the main allegation is against the husband of the
deceased who was chargesheeted by the police and during



investigation, the investigating officer did not find any substance in the allegation levelled against the petitioners and finally the petitioners were not sent up for trial but the learned trial court differing with the conclusion of the police took cognizance against the petitioners also and summoned them. It is further submitted that the main accused Laxman Yadav, husband of the deceased, has been granted bail by this court vide order dated 27.02.2023 passed in Cr. Misc. No. 48768 of 2022 and for getting the appearance of the petitioners, the learned trial court has only issued summons against the petitioners who are in the apprehension of their arrest.

4. Ms .Dr. Indihar Kumari, learned APP appearing for the State has opposed the bail prayer of the petitioners.

5. Having regard to the above submissions and mainly considering the facts that the marriage of the deceased took place in the year 2008 and the alleged occurrence took place several years after the marriage and during investigation the police did not find any substance in the allegations levelled against the petitioners and the main accused, husband of the deceased is on bail, in my opinion, the petitioners who are in-laws, deserve to the privilege of anticipatory bail. Accordingly, let the petitioners named-above, in the event of their



arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail in connection with Banka P.S. Case No. 308 of 2022 on furnishing bail bond of Rs.10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Court concerned, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Shailendra Singh, J)

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