

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47002 of 2024

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

1. Mahanth Yadav Son Of Late Pitamber Yadav Resident Of Vill- Of Chandraman Hata, P.S.- Barharia, District- Siwan.
2. Sashi Kant Yadav Son Of Mahanth Yadav Resident Of Vill- Of Chandraman Hata, P.S.- Barharia, District- 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 : Mrs.Sharda Kumari, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 13-09-2024 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



father-in-law and the petitioner no. 2 is the brother-in-law (*devar*) of the deceased and they have no concern with the family affairs of the deceased. There is general and omnibus allegation against the petitioners. The co-accused persons have already been granted anticipatory bail by this court vide order dated 09.08.2024 passed in Cr. Misc. No. 38338 of 2024. 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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