

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48043 of 2023

Arising Out of PS. Case No.-336 Year-2022 Thana- SHERGHATI District- Gaya

1. Rajesh Yadav, (M), aged about 30 years, Son of Late Paplu Yadav, Resident of village - Tetariya, P.S. - Sherghati, Distt. - Gaya.
2. Amresh Yadav @ Amaresh Kumar, (M), aged about 33 years, Son of Late Paplu Yadav, Resident of village - Tetariya, P.S. - Sherghati, Distt. - Gaya.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr. Md. Javed Jafar Khan, Advocate
For the State	:	Mr. Md. Aslam Ansari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 25-01-2024 Learned counsel for the petitioners is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

2. Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

3. The petitioners are apprehending their arrest in connection with Sherghati P.S. Case No. 336 of 2022 dated 05.05.2022 registered for the offences punishable under Sections 304B/34 of the I.P.C.

4. As per the prosecution case, the petitioners and other co-accused persons are alleged to have murdered the informant's sister due to non-fulfilment of demand of dowry. It



is further alleged that the petitioners and other accused persons took away jewellery of the deceased worth Rs. 2,00,000/- and a motorcycle which was registered in the name of the deceased.

5. Learned counsel for the petitioners has submitted that the petitioners are innocent and have been falsely implicated in this case. The petitioners have not tortured the informant's sister. It is further submitted that the petitioners are brothers of the husband of the deceased. The husband of the deceased is in custody as stated in paragraph no. 12 of the bail petition. There is general and omnibus allegation against the petitioners. They are separate in mess and property from the husband of the deceased. They have no concern with the alleged offence. The petitioners have clean antecedent as stated in paragraph no. 3 of the bail application.

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

7. Considering the aforesaid facts and circumstances of the case as well as the allegation being general and omnibus, 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/- (Twenty Thousand) each with two sureties of the like



amount each to the satisfaction of learned court concerned, Sherghati, Gaya in connection with Sherghati P.S. Case No. 336 of 2022, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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