

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51667 of 2024

Arising Out of PS. Case No.-206 Year-2024 Thana- PAKARIBARAW District- Nawada

Ntish Kumar SON OF SUNIL YADAV VILLAGE- DHARNI BIGHA, PS-
PAKRIBARAWAN, DIST- NAWADA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Birendra Kumar, Advocate

For the Opposite Party/s : Mr.Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 21-08-2024 Heard the parties.

2. The petitioner is apprehending arrest in connection with Pakribarawan P.S. Case No. 206 of 2024 instituted under Sections 304(B), 201, 34 of the Indian Penal Code lodged on 03.05.2024 by the informant, Gumandeo Yadav.

3. As per the prosecution story, the informant alleged that his daughter was married to Vicky Yadav in the year 2021 but was always tortured for dowry and on the fateful day, came to know that she has been killed and the dead body was concealed. The accused were not present in the house. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that he is brother of the husband of the deceased having no relationship, living separately and further the husband has surrendered on



31.7.2024 and is in jail.

5. A copy of the certificate issued by the learned Judicial Magistrate, Civil Court, Nawada has been provided by the learned counsel for the petitioner.

6. Learned APP opposes the prayer submitting that the allegation is against all the family members.

7. Taking into account the aforesaid facts as also that he is brother of the husband of the deceased, living separately, admittedly, the husband is in custody, do not have criminal antecedent, this Court is inclined to extend him the privilege of anticipatory bail.

8. Let the petitioner be released on bail, in the event of his arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each in connection with Pakribarawan P.S. Case No. 206 of 2024 to the satisfaction of learned Judicial Magistrate, Nawada subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;



(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall co-operate in the investigation and make himself available to the police as and when required;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

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