

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55718 of 2024

Arising Out of PS. Case No.-30 Year-2024 Thana- HASANPUR District- Samastipur

1. Sulendra Yadav @ Surendra Yadav S/o Mahendra Yadav R/o vill - Kokani, P.S. - Hasanpur, Distt. - Samastipur
2. Kavita Devi @ Uda Devi W/o Surendra Yadav @ Sulendra Yadav R/o vill - Kokani, P.S. - Hasanpur, Distt. - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramakant Akela, Advocate
For the Opposite Party/s : Mr.Shyam Bihari Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 04-09-2024 Heard the parties.

2. The petitioners are apprehending arrest in connection with Hasanpur P.S. Case No. 30/2024 instituted under Sections 498A, 304B, 201/34 of the Indian Penal Code lodged on 17.03.2024 by the informant, Kiran Devi.

3. As per the prosecution story, the informant alleged that the victim was married to Pappu Yadav ten months ago but was always tortured for dowry and on 16.03.2024, under conspiracy, she was killed and body disappeared. While, it was being cremated, information came and they reached there, whereafter the cremation was stopped.



The Police came and recovered half burnt body. Thus followed the post-mortem and the FIR.

4. Learned counsel for the petitioners submit that as per the police investigation, it came to the notice that the victim lady was earlier in relationship and on the fateful day had an altercation with the husband who used to remain outside. She consumed poison and died. He further submits that the husband is in custody since 27.04.2024.

5. Learned APP opposes the prayer submitting that when she consumed the poison, the police should have been informed.

6. Considering the fact that the husband is in custody, the petitioners are mother-in-law and father-in-law, the categorical statement of the learned counsel for the petitioners has been recorded that as per the investigation, the door was closed, further, the lady committed suicide, these two petitioners have no criminal antecedent, this Court is inclined to extend them the privilege of anticipatory bail. However, if it is found that the statement/submission made by the learned counsel for the petitioners do not match with the investigation, the order shall become infructuous.

7. Let the petitioners be released on bail, in the



event of their 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) each with two sureties of the like amount each in connection with Hasanpur P.S. Case No. 30/2024 to the satisfaction of learned A.C.J.M.-IV, Rosera, Samastipur 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 petitioners who shall provide official document to show his/her bona fide;

(ii) the petitioners 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 their bail bond by the Trial Court itself;

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

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

(Rajiv Roy, J)

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