

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.64337 of 2024**

Arising Out of PS. Case No.-672 Year-2023 Thana- HARNAUT District- Nalanda

1. Naval Yadav @ Naval Prasad Yadav S/o Ramdas Yadav R/o vill - Mushari, P.S. - Harnaut (Chero O.P.), Distt. - Nalanda
2. Shishupal Kumar S/o Naval Yadav @ Naval Prasad Yadav R/o vill - Mushari, P.S. - Harnaut (Chero O.P.), Distt. - Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Raj Kishor Prasad, Advocate

For the Opposite Party/s : Mr. Brajendra Nath Pandey, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

2      01-10-2024                      Heard Mr. Raj Kishor Prasad, learned counsel for the petitioners as well as Mr. Brajendra Nath Pandey, learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Harnaut (Chero) P.S. Case No. 672 of 2023, F.I.R. dated 03.12.2023 for the offences punishable under Sections 304B/34 of the Indian Penal Code and later on Sections 302 and 201 of the Indian Penal Code were added.

3. According to prosecution case, all the accused persons including these petitioners have killed the daughter of the informant due to non-fulfillment of demand of dowry.

4. Learned counsel for the petitioners submits that petitioner no. 1 has one criminal antecedent other than the present one but he has been acquitted in the year 2012 itself and



petitioner no. 2 has clean antecedent and they have falsely been implicated in the present case. He further submits that it appears from the F.I.R that there is no specific allegation of assault, overt act or demand of dowry against these petitioners and the informant is not the eye witness of the alleged occurrence. He further submits that merely on the ground of suspicion the petitioners and other accused have been implicated in the present case. He further submits that the petitioner no. 1 is the father-in-law and petitioner no. 2 is the brother-in-law of the deceased. He further submits that there is general and omnibus allegation against all the accused persons and son of the petitioner no. 1 who is also brother of the petitioner no. 2 is the husband of the deceased and he is in judicial custody.

5. Learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners.

6. Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Nalanda at Biharsharif in



connection with Harnaut (Chero) P.S. Case No. 672 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

i. Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

ii. If the petitioners tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

**(Rajesh Kumar Verma, J)**

Vanisha/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

