

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63726 of 2024

Arising Out of PS. Case No.-240 Year-2024 Thana- PARBATTa District- Khagaria

-
1. Deebakar Yadav @ Diwakar Yadav S/o Late Brahamdev Yadav R/o vill - Bari Lagar, P.s. - Parbatta, Distt. - Khagaria
 2. Lalo Yadav S/o Late Chunchun Yadav R/o vill - Bari Lagar, P.s. - Parbatta, Distt. - Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Budhilal Yadav

For the Opposite Party/s : Mr. Chandra Bhushan Prasad

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 05-10-2024 1. Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Parbatta Police Station Case No. 240 of 2024, dated 12.06.2024, disclosing offences under Sections 302/304-B/201/34 of the Indian Penal Code and Sections 3/4 of the Dowry Act.
3. The prosecution case, as per the First Information Report, is that the marriage of the informant's daughter was solemnized with the co-accused Samarjit Bharti in the year 2017. After two years of marriage, the accused persons, including the petitioners, started torturing the



informant's daughter mentally and physically and demanded a sum of Rs. 10,00,000/- as dowry. Due to non-fulfillment of the said demand they started abusing and assaulting the informant's daughter. On 12.06.2024, the informant got phone call that his daughter has been killed.

4. Learned counsel for the petitioners submits that the petitioners have falsely been implicated in the present case on the basis of general and omnibus allegation. From perusal of the First Information Report, it would transpire that the informant has stated that his daughter had called him and asked to take her to the parental home as her in-laws would kill her due to non-fulfillment of the demand of dowry. Learned counsel further submits that the petitioners are not the family members and/or in-laws of the informant's daughter and are co-villagers as stated in paragraph-19 of the anticipatory bail application.
5. On the other hand, learned counsel for the informant vehemently opposes the prayer for bail and submits that case diary may be called from the Court below.
6. Regards being had to the submissions made on behalf of the parties and taking into consideration the fact that the petitioners are not the family members and are co-



villagers of the matrimonial home of the deceased, I am inclined to grant the petitioners privilege of anticipatory bail.

- 7. This application is, accordingly, allowed.
- 8. Let the petitioners, above named, in the event of their arrest or surrender before the Court below within four weeks, 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 learned Additional Chief Judicial Magistrate,-I Khagaria, in connection with Parbatta Police Station Case No. 240 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

ashwani/-

U		T	
---	--	---	--

