

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64861 of 2024

Arising Out of PS. Case No.-68 Year-2021 Thana- SAKURABAD District- Jehanabad

1. Mukesh Yadav Son of Vishwanath Yadav village Gopalpur, P.S- Shakurabad, District- Jehanabad
2. Akhali Devi Wife of Vishwanath Yadav village Gopalpur, P.S- Shakurabad, District- Jehanabad
3. Mahesh Yadav Son of Ranjan Yadav village- Pachmahalla, Ps- Tekari, Dist- Gaya
4. Lalo Devi Wife of Mahesh Yadav village- Pachmahalla, Ps- Tekari, Dist- Gaya
5. Kalo Devi Wife of Subelal Yadav village- Fenadih, Ps- Tekari, Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Kumar
For the Opposite Party/s : Mr.Rajendra Nath Jha

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 18-10-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners are apprehending their arrest in connection with Shakurabad P.S. Case No. 68 of 2021 registered for the offences punishable under Sections 304(B), 201, 34 of the Indian Penal Code.

3. As per prosecution case, the informant solemnized marriage of his daughter with co-accused Maheshi Yadav five years ago. It is stated that informant's daughter gave birth to one child and after that she was being assaulted and abused for



demand of dowry. It is alleged that petitioners and other committed the murder of informant's daughter and burnt her dead body.

4. Learned counsel for the petitioners submits that petitioner no. 1 is Devar, petitioner no. 2 is mother-in-law, petitioner no. 3 is Nandosi and petitioner no. 4 and 5 are Nanad of the victim/deceased. He further submits that there is no specific allegation against any of the petitioners rather same is general and omnibus in nature. Specific allegation is against co-accused Maheshi Yadav, who is husband of the victim/deceased. Petitioners are quite innocent and have committed no offence as alleged in the FIR. Petitioners have no say in the family affairs of the victim/deceased as they are living separately from the victim/deceased. Petitioners bear no criminal antecedent. Petitioners have been falsely implicated in this case because they are in-laws of the victim/deceased.

5. The learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

6. Considering the facts and circumstances of the case, keeping in view clean antecedent of petitioners, petitioners have no say in the family affairs of the victim/deceased, argument advanced on behalf of both sides and



also taking into consideration the material available on record, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Jehanabad in connection with Shakurabad P.S. Case No. 68 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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