

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71111 of 2023

Arising Out of PS. Case No.-320 Year-2022 Thana- MADHUBANI COMPLAINT CASE
District- Madhubani

=====

Naresh Yadav @ Ram Naresh Yadav Son of Ramasish Yadav R/o vill -
Guleria, P.S. - Khajauli, Distt. - Madhubani

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shila Devi Wife of Ramashray Yadav R/o vill - Jaypatti, P.S. - Rajnagar,
Distt. - Madhubani

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Pandey, Advocate
For the Opposite Party/s : Mr.Sanjay Kumar Singh, APP

=====

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 4 19-03-2024 1. Heard learned Counsel for the petitioner and
learned APP for the State.
2. This application, for grant of anticipatory bail,
arises out of Complaint case no. 320 of 2022, disclosing
offences punishable under Sections 304(B), 498(A) and other
allied sections of the Indian Penal Code.
3. The prosecution story, as per the statement made in
the complaint petition, is that daughter of the complainant was
married to Raju Kumar Yadav on 09.05.2021. After the
marriage, complainant's daughter started residing at her
matrimonial home along with her husband, however the accused



persons started torturing the deceased by demanding motorcycle, refrigerator etc. They also tortured the husband of the deceased and threatened both husband and wife to oust them from the ancestral property. On 19.03.2022, both the couple committed suicide.

4. Learned Counsel for the petitioner submits that petitioner has falsely been implicated in this case merely on the basis of allegation that the complainant had requested the petitioner, who was working as “munshi” in police station to lodge an FIR but instead of lodging of FIR, U.D. case no. 01 of 2022 dated 23.03.2022 was lodged. Learned counsel further submits that petitioner has never worked as *munsi* in the police station, however after lodging of the U.D. case on 23.03.2022 and without converting the U.D. case into F.I.R., the present complaint has been filed on 22.04.2022 under Section 304(B) and other allied sections of the Indian Penal Code. He also submits that the petitioner is neither family member of the deceased nor a distant relative but is a co-villager.

5. I have heard learned counsel for the petitioner and the State. Despite service of notice, no one appears for the opposite party no. 2.

6. Regard being had to the submissions made on



behalf of the parties and taking into consideration the fact that the petitioner is neither the family member of the deceased nor a distant relative but is merely a co-villager, I am inclined to grant the privilege of anticipatory bail to the petitioner.

6. This application is, accordingly, allowed.

7. Let petitioner, abovenamed, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M. Madhubani in connection with Complaint case no. 320 of 2022, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

rinkee/-

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

