

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81294 of 2023

Arising Out of PS. Case No.-306 Year-2023 Thana- PARBATTI District- Khagaria

1. KIRAN DEVI SON OF DHARMENDRA @ DHARMENDRA YADAV @ DHARO YADAV RESIDENT OF VILLAGE - BANDEHRA, P.S. - PASRAHA, DISTRICT - KHAGARIA
2. DHARMENDRA @ DHARMENDRA YADAV @ DHARO YADAV SON OF RADHE YADAV RESIDENT OF VILLAGE - BANDEHRA, P.S. - PASRAHA, DISTRICT - KHAGARIA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 82410 of 2023

Arising Out of PS. Case No.-306 Year-2023 Thana- PARBATTI District- Khagaria

1. VIKASH YADAV WIFE OF DHARMENDRA @ DHARMENDRA YADAV @ DHARO YADAV R/O VILLAGE- CHHOTI LAGAR, P.S.- PASRAHA, DISTRICT- KHAGARIA
2. VISHAL YADAV SON OF DHARMENDRA @ DHARMENDRA YADAV @ DHARO YADAV R/O VILLAGE- CHHOTI LAGAR, P.S.- PASRAHA, DISTRICT- KHAGARIA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 81294 of 2023)

For the Petitioner/s : Mr.Santosh Kumar Singh, Adv.

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary, APP

(In CRIMINAL MISCELLANEOUS No. 82410 of 2023)

For the Petitioner/s : Mr.Santosh Kumar Singh, Adv.

For the Opposite Party/s : Mr.Sharda Kumari, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 18-01-2024 As both these cases arise out of the same Police station case numbers, they are being taken up and heard together and



are being disposed of by this common order.

2. Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

3. The petitioners apprehend their arrest in a case registered for the offence punishable u/s 304(B), 120(B)/34 of the IPC.

4. The allegation against the petitioners is that they along with other accused persons have killed the sister of the informant due to non-fulfillment of demand of dowry.

5. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case due to grudge. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioners is not specific rather general and omnibus in nature. Petitioner nos.1 and 2 of Cr. Misc. No.81294 of 2023 are the mother-in-law and father-in-law of the deceased and petitioners of Cr. Misc. No.82410 of 2023 are the brothers-in-law of the deceased. Petitioners have criminal antecedent, as mentioned in para-3 of the bail petitions.

6. Learned APP for the State opposed the prayer for bail by submitting that there is serious allegation against the petitioners to have murdered the sister of the informant.

7. Having regard to the facts and circumstances of the case,



since petitioner no.1 of Cr. Misc. No.81294 of 2023 namely Kiran Devi is a lady, let her be released on bail, in the event of her arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Parbatta P.S. Case No.306 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

8. However, considering the nature of allegation, I am not inclined to enlarge the petitioner no.2 of Cr. Misc. No.81294 of 2023 namely Dharmendra @ Dharmendra Yadav @ Dharo Yadav and petitioners of Cr. Misc. No.82410 of 2023 namely Vikash Yadav and Vishal Yadav on anticipatory bail. The prayer for grant of bail on their behalf is hereby rejected.

9. Accordingly, Cr. Misc. No.81294 of 2023 is partly allowed and Cr. Misc. No.82410 of 2023 is dismissed.

(Anjani Kumar Sharan, J)

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