

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80813 of 2024

Arising Out of PS. Case No.-450 Year-2024 Thana- WAJIRGANJ District- Gaya

Sanju Yadav, Son of Fakira Yadav @ Fakir Yadav, Village -Sakardas Nawada,
PS- Wazirganj, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sudhir Kumar Sinha, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 25-11-2024

Heard the parties.

2. The petitioner is in custody in connection with Wazirganj P.S. Case No. 450 of 2024 for the offence under Sections 80, 3(5) of the Bhartiya Nyay Sanhita, 2023 lodged on 04.07.2024 by the informant, Laldeo Yadav.

3. As per the prosecution story, the informant alleged that his daughter was married in the year 2017 but was always tortured for dowry and on the fateful day, came to know about deterioration of her health. On suspicion, he went to her matrimonial home and found her dead body. Accordingly, the F.I.R.

4. Learned counsel for the petitioner submits he is the brother-in-law (*bhaisur*) of the deceased and brother of the husband who is already in custody since 06.07.2024. He lives



separately, has no role to play in the matter and is in custody since 22.08.2024 (para-10 of the petition).

5. Learned APP opposes the prayer for bail submitting that the death took place within seven years of the marriage.

6. Though the allegation is there, the fact remains that the husband having married the lady, major role to play in the matter, as per the submission, the petitioner is brother-in-law (*bhaisur*) of the deceased, living separately, the husband is in custody and this petitioner is also in custody since 22.08.2024, this Court is inclined to extend him the privilege of bail with conditions.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Gaya, in connection with Wazirganj P.S. Case No. 450 of 2024 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and the failure to do so for two consecutive dates without plausible reason will entail



cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of bail bond.

(iv) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

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