

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1505 of 2024

Arising Out of PS. Case No.-206 Year-2021 Thana- PIPRA District- Supaul

- 1. Bhupendra Yadav, Son of Feku Yadav, R/O Village- Pathra, Ward No. 09, P.S.- Pipra, Dist.- Supaul
- 2. Kago Devi, Wife of Bhupendra Yadav, R/O Village- Pathra, Ward No. 09, P.S.- Pipra, Dist.- Supaul
- 3. Shobha Devi, Wife of Pramod Yadav, R/O Village- Pathra, Ward No. 09, P.S.- Pipra, Dist.- Supaul
- 4. Pramod Yadav @ Pramod Kr. Yadav, Son of Bhupendra Yadav, R/O Village- Pathra, Ward No. 09, P.S.- Pipra, Dist.- Supaul
- 5. Ashok Yadav, Son of Bhupendra Yadav, R/O Village- Pathra, Ward No. 09, P.S.- Pipra, Dist.- Supaul

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Gopal Kumar Jha, Advocate
For the State : Mr. Ram Anurag Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 31-01-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners in the present case are seeking pre-arrest bail in connection with Pipra P.S. Case No. 206 of 2021 registered for the offences punishable under Sections 302, 304B, 201/34 of the Indian Penal Code. They have no criminal antecedent.

3. As per the prosecution story, the daughter of the informant was married to petitioner no. 5 and the petitioners used to demand dowry since the date of marriage. It is alleged

that on 20.07.2021 at about 05:30 A.M., one unknown person informed the informant through mobile that his daughter has been murdered and her dead body is being burnt. The informant along with his villagers reached there and found that major portion of the deceased body was burnt. The informant informed the police whereafter the police took the dead body into their custody and sent the same for the postmortem.

4. Learned counsel for the petitioners submits that the wife of petitioner no. 5 died due to cancer after treatment for about one year. The case was initially lodged just to harass the petitioners but later on the informant himself filed an affidavit saying that the *sasural* people of the deceased are not involved in the alleged occurrence.

5. Learned counsel has drawn the attention of this Court towards the final form submitted by the Investigating Agency saying that there is no material to proceed against the petitioners. It is submitted that in the present case, the petitioners apprehend their arrest as the learned Judicial Magistrate, Supaul has taken cognizance of the offences differing with the police report and summoned the petitioners.

6. Learned APP for the State has though opposed the prayer for anticipatory bail of the petitioners but considering the

entire facts and circumstances of the case and the materials noticed by the Investigating Agency in the final form submitted in favour of the petitioners, this Court directs that in case of their arrest or surrender within a period of four weeks from today, the petitioners above-named shall be released on bail in connection with Pipra P.S. Case No. 206 of 2021 on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-VI, Supaul, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

8. This application stands allowed.

(Rajeev Ranjan Prasad, J)

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