

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83878 of 2024

Arising Out of PS. Case No.-61 Year-2024 Thana- Mufassil District- Khagaria

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1. Gurudev Yadav S/o- Jagindra Yadav Village- Bari Kothiya Ps-Muffasil Dist-Khagaria
 2. Ratan Kumar @ Rautam Kumar S/o- Gurudev Yadav Village- Bari Kothiya Ps-Muffasil Dist-Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rahul Singh, Advocate
For the Opposite Party/s	:	Mr. Navin Kumar Pandey, APP
For the Informant	:	Mr. Om Prakash Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 06-12-2024 Heard learned counsel for the petitioners, learned APP for the State and learned counsel for the informant.

2. The petitioners apprehend arrest in connection with Muffasil P.S. Case No. 61 of 2024, registered under Sections 304B and 34 of the Indian Penal Code.

3. The prosecution case, in short, is that, the petitioner along with the family members tortured and killed the deceased for non-fulfillment of demand of dowry.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. Learned counsel for the petitioners also submits



that petitioner no. 1 is father-in-law and petitioner no. 2 is *dewar*, of the deceased. The petitioners have neither made any demand of dowry nor they have ever tortured the deceased physically or mentally. The petitioners are separate in mess and business from the husband of the deceased. No specific allegation has been attributed against these petitioners. The allegations levelled against these petitioners are general and omnibus in nature. The petitioners have got no criminal antecedent. Learned counsel for the petitioners further submits that similarly situated co-accused has been granted regular bail by this Court vide order dated 11.11.2024 passed in Cr. Misc. No. 78888 of 2024.

5. Learned APP for the State and learned counsel for the informant have vehemently opposed the prayer for grant of bail to the petitioners. Learned APP for the State further submits that there is direct allegation of demand of dowry soon before the death of the victim which was raised by the accused persons. Hence, the petitioners do not deserve the privilege of anticipatory bail.

6. Considering the aforesaid facts and circumstances of the case, nature and gravity of the offence, this Court is not inclined to grant bail to the petitioners.



7. The prayer is rejected. However, the petitioners are directed to surrender in the Court below and pray for regular bail. If any such application is filed, the Court below shall consider and dispose of the same on its own merit without being prejudiced by this order.

(Rudra Prakash Mishra, J)

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