

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85551 of 2023

Arising Out of PS. Case No.-151 Year-2023 Thana- BALIYA District- Begusarai

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1. Vikki Yadav @ Vikki Kumar Son of Arjun Yadav,
 2. Janki Devi, Wife of Late Arjun Yadav,
 3. Nutan Devi @ Kiran Devi, Wife of Vikki Yadav @ Vikki Kumar,
 4. Umesh Yadav, Son of Bhullu Yadav @ Mullu Yadav
- All are residents of Village-Nurjamapur (Bariyarpur Tola), P.O. - Lakhminia,
P.S. - Ballia, District - Begusarai

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amar Kumar Singh, Advocate
For the Opposite Party/s : Mrs.Gulnar Begum, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 24-01-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. In the present case, the petitioners are apprehending their arrest in connection with Ballia P.S. Case No. 151 of 2023 registered for the alleged offences under Sections 304(B)/34 of the Indian Penal Code.

3. As per the prosecution case, the sister of the informant was hanged to death by the petitioners and co-accused husband Abhimanyu Kumar on account of some dowry demand within seven years of marriage.

4. The learned counsel for the petitioners submits that



the petitioners are innocent and have been falsely implicated in this case. The petitioners are very poor persons and the husband of the deceased was doing a job outside the State, but he was earning much less, there was financial problem before the family and the deceased was having three female children. Due to depression of economic hardship, the sister of the informant committed suicide. There is no eye witness to the alleged occurrence and the informant registered the FIR on the basis of saying of other persons, who are not on good terms with the petitioners. Later on, the informant realized the mistake filed a petition before the court of learned Chief Judicial Magistrate, Begusarai admitting his mistake and also filed a compromise petition. There is no cogent material against the petitioners. Moreover, in the FIR itself, it has been mentioned that the marriage was solemnized seven years back, but, in fact, the marriage was solemnized eight years back to the occurrence. The informant has made accused all family members including the petitioner no.4, who is the brother of father-in-law of the deceased and stays in Meghalaya and was not even present on the date of occurrence at the place of occurrence. The petitioners have no criminal history.

5. Learned APP opposes the submissions made on



behalf of the petitioners.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the general and vague nature of allegation against the petitioners without any substantive material against them and further considering the possibility of false implication, the petitioners, above named, in the event of their arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai, in connection with Ballia P.S. Case No. 151 of 2023, subject to the conditions mentioned in Section 438(2) of the Cr.P.C. and the following conditions:

(i) One of the bailors will be a close relative of the petitioners.

(ii) The petitioners will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

V.K.Pandey/-

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