

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86001 of 2023

Arising Out of PS. Case No.-303 Year-2023 Thana- HARNAUT District- Nalanda

Jogi Yadav, son of Late Ramswarup Yadav @ Late Surup Yadav, Village-
Alipur Ps- Harnaut Dist- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satya Prakash, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 21-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. In this case, the petitioner is apprehending his arrest in connection with Harnaut P.S. Case No. 303 of 2023, registered for the offences under Sections 494, 304(B) and 201/34 of the Indian Penal Code.

3. As per prosecution case, daughter of the informant was married with co-accused Pintu Yadav and petitioner is the father of the co-accused and allegation against them is that due to non-fulfillment of dowry demand, they killed the daughter of the informant and disposed of the dead body.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has been falsely implicated in this case. Petitioner is the father-in-law of the deceased and he has not committed any offence. Petitioner was having good relationship with daughter-in-law though since long he has been living separately from them. The mother of the deceased submitted a petition before the learned court below after lodging of the FIR that she came to know that her daughter was seriously ill and died due to illness and her husband has cremated the dead body. Learned counsel further submits that there is general and omnibus allegation of dowry demand and causing dowry death without any specific overt act being attributed to the petitioner. Co-accused husband of the deceased is in judicial custody. Petitioner is 60 years old persons and he has been suffering from various diseases. Petitioner is having clean antecedent.

5. Learned APP opposes the prayer for anticipatory bail.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the completely general and vague nature of allegation against the petitioner in the light of relationship with the deceased and also considering the clean antecedent of the petitioner coupled with



possibility of false implication, let the petitioner above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned C.J.M., Nalanda at Biharsharif/court concerned in connection with Harnaut P.S. Case No. 303 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner 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)

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