

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.4855 of 2024**

Arising Out of PS. Case No.-300 Year-2020 Thana- ARWAL District- Jehanabad

1. Sunaina Kumari Wife Of Rajesh Yadav Resident Of Village - Usass Deaura, Bela Mohabcha, Ps- Goh, Distt- Aurangabad
2. Lahasiya Devi Wife Of Late Kedar Yadav Resident Of Village- Motha, Ps- Arwal, Distt- Arwal
3. Rahul Yadav Son Of Late Kedar Yadav Resident Of Village- Motha, Ps- Arwal, Distt- Arwal

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                          |   |                                   |
|--------------------------|---|-----------------------------------|
| For the Petitioner/s     | : | Mr. Nityanand Neeraj, Advocate    |
|                          |   | Ms. Kumari Anjani Sinha, Advocate |
| For the Opposite Party/s | : | Mr. Nawal Kishore Prasad          |

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

3      21-03-2024                      Heard Mr. Nityanand Neeraj, learned counsel for the petitioners as well as Mr. Nawal Kishore Prasad, learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Arwal P.S. Case No. 300 of 2020, F.I.R. dated 25.09.2020 for the offences punishable under Sections 304B/34 of the Indian Penal Code.

3. According to prosecution case, all these petitioners including the husband of the deceased have killed the daughter of the informant due to non-fulfillment of demand of dowry.

4. Learned counsel for the petitioners submits that



petitioners have clean antecedent and they have falsely been implicated in the present case merely on the ground that they are in-laws of the deceased. He further submits that it appears from the F.I.R that there is no specific allegation of assault or overt act or demand of dowry attributed against these petitioners rather there is geneal and omnibus allegation against all the accused persons including these petitioners. He further submits that petitioner no. 1 is married sister-in-law, petitioner no. 2 is mother-in-law and petitioner no. 3 is brother-in-law of the deceased and the husband of the deceased, namely, Sonu Yadav is in judicial custody since 12.03.2024.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners.

6. Considering the aforesaid facts and circumstances that the petitioners have clean antecedent, there is no allegation of assault or demand of dowry against these petitioners and the husband of the deceased is in judicial custody, let the petitioners, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, 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 the learned Chief



Judicial Magistrate, Arwal in connection with Arwal P.S. Case No. 300 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

i. Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

ii. If the petitioners tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. 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.

**(Rajesh Kumar Verma, J)**

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