

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2190 of 2025

Arising Out of PS. Case No.-14 Year-2021 Thana- MEHUSH District- Sheikhpura

1. Shailendra Yadav son of Sharan Yadav village- Ward no. 6, Lalu nagar, Ps- Manpur, Dist- Nalanda
2. Bijendra Yadav son of Sharan Yadav village- Ward no. 6, Lalu nagar, Ps- Manpur, Dist- Nalanda
3. Sambuja Devi @ Sabuja Devi Wife of Sharan Yadav village- Ward no. 6, Lalu nagar, Ps- Manpur, Dist- Nalanda

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Brajesh Sahay, Amit Narayan, Advocates Mrs Vandna Rani, Advocate
For the Opposite Party/s	:	Mr.Nand Kishore Prasad, A.P.P. Mr. Jitendra Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 12-02-2025 Heard learned counsel for the petitioners, the State and the informant.

2. Petitioners apprehend arrest in a case registered for the offence punishable under sections 302, 201/34 of the Indian Penal Code.

3. As per the prosecution case, informant's daughter was married with one Sanjay Yadav. On 10.3.2021 at about 10.30 pm, Sanjay Yadav came to his in-laws house and took his wife and son with him on the motorcycle saying that his mother is ill and there is no one to take care. When the informant made call to his daughter at about 12 in the midnight, informant's maternal grand son started weeping saying that his father has



killed his mother. Informant has further alleged that these petitioners and other accused persons used to ill treat the victim for non-fulfilment of dowry demand and they were giving threat of dire consequence. Son-in-law of the informant was demanding Rs.2 lacs and gold from the informant.

4. Learned counsel for the petitioners submits that from perusal of the FIR itself, it is clear that at the relevant time daughter of informant (victim) was living in her parents' house from where her husband (Sanjay Yadav) took her and same day she was killed by her husband. There is no role of these petitioners in the alleged offence. Moreover, allegation of assault is general and omnibus and no specific overt act has been alleged against these petitioners. Thrust of allegation is against the husband of the deceased. Police, after investigation, submitted final form against the petitioners but the Court below differing with the same took cognizance of the offence.

5. Learned counsel for the State and the informant oppose the prayer for bail.

6. Considering the aforesaid facts and circumstances of the case, in the event of arrest or surrender within eight weeks from today, let both the petitioners, as named above, be enlarged 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 Judicial Magistrate 1st class, Sheikhpura in Mehus Police Station Case No. 14/2021, GR No.303/2021, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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