

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1500 of 2025

Arising Out of PS. Case No.-308 Year-2022 Thana- PARAIYA District- Gaya

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Bimlesh Yadav Son of Jawahar Yadav @ Jamahir Yadav Resident of Village -
Swami Bigha, P.S. - Paraiya, District - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Shailesh Kumar, Advocate
For the State	:	Mr. Kalyan Shankar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 11-04-2025 Heard the parties.

2. The petitioner is in custody in connection with Paraiya P.S. Case No. 308 of 2022 for the offence punishable under sections 304(B) and 34 of the Indian Penal Code lodged on 03.09.2022 by the informant, Baiju Yadav.

3. As per the prosecution story, the informant alleged that the deceased daughter was married to this petitioner in the year 2017 and were blessed two children, she was regularly tortured for dowry and on the fateful day, came to know about her death. Upon reaching there, they found that the accused persons were about to take the deceased for funeral. When they saw the body, there was sign on the neck which followed the call to the police and the FIR.

4. Learned counsel for the petitioner submits that though allegation is there, he has suffered by being in custody



since 15.03.2023 (paragraph no.12 of the petition), the trial is on but after examination of five witnesses, there has been delay in further movement of trial. If granted bail, he shall be diligently appearing in trial and further shall not indulge in any criminal activity failing which the State shall be free to take steps for cancellation of his bail bonds.

5. Learned APP opposes the prayer for bail submitting that he being the husband, his role is important in the death of the lady.

6. Considering the submissions put forward by the parties, allegation is there, the petitioner will face the consequences, he has remained in custody for two years, though the trial is on, there is no likelihood of its conclusion in near future, an undertaking has been given that he shall be diligently appearing in trial and shall not indulge in any criminal activity failing which the State shall be free to take steps for cancellation fo his bail bonds, in that background, this Court is inclined to extend him the privilege of bail.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Sessions Judge-X, Gaya, in connection with Paraiya P.S. Case



No. 308 of 2022 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for six months to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

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