

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2444 of 2025

Arising Out of PS. Case No.-81 Year-2011 Thana- PALIGANJ District- Patna

Gauri Devi Wife of Vidya Yadav Resident of village - Anchal Tola, P.S. -
Paliganj, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 4735 of 2025

Arising Out of PS. Case No.-81 Year-2011 Thana- PALIGANJ District- Patna

Vijay Yadav S/o Late Rama Yadav R/o Village- Anchal Tola, PS - Paliganj,
District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 2444 of 2025)

For the Petitioner/s : Mr. Ramakant Sharma, Sr. Advocate
Mr. Rakesh Kumar Sharma, Advocate

For the Opposite Party/s : Mr. Pranav Kumar, APP

(In CRIMINAL MISCELLANEOUS No. 4735 of 2025)

For the Petitioner/s : Mr. Ramakant Sharma, Sr. Advocate
Mr. Rakesh Kumar Sharma, Advocate

For the Opposite Party/s : Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 08-05-2025 Heard learned Sr. Counsel for the petitioners and
learned APP for the State in both the cases.

2. The petitioners in both the cases are apprehending
arrest in connection with Paliganj P.S. Case No. 81 of 2011
lodged on 11.04.2011, for the offences punishable under
sections 304B, 201/34 of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution, the F.I.R. has been lodged
against four accused persons, including the present petitioners.



It is alleged in the F.I.R. that the accused persons, in connivance with each other, have caused the death of the complainant's daughter.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. It is stated that the petitioner in Criminal Miscellaneous No. 2444 of 2025 is the sister-in-law (*gotani*) of the deceased, while the petitioner in Criminal Miscellaneous No. 4375 of 2025 is her brother-in-law (*devar*). Learned counsel further submits that the present F.I.R. was registered upon transfer of a complaint petition under Section 156(3) Cr.P.C. Initially, after the death of the alleged victim, both parties informed the local police, and U.D. Case No. 15 of 2010 was registered. Subsequently, a complaint case was filed, which was converted into an F.I.R. Upon completion of the investigation, the case was found to be not true and a final form was submitted by the police. However, despite the police report, the learned court took cognizance of the offence. It is further submitted that the petitioners were living separately from the deceased at the relevant time.

5. Learned counsel for the informant vehemently opposes the prayer for bail and submits that the informant is prepared to adduce evidence as and when required during the



course of trial.

6. Learned APP for the State opposes the bail application but concedes that initially a U.D. case was registered. Thereafter, based on a complaint transferred under Section 156(3) Cr.P.C., an F.I.R. was lodged, and upon completion of investigation, a final form was submitted. However, the learned court proceeded to take cognizance of the offence.

7. In the facts and circumstances of the case, let the above-named petitioners be released on bail, in the event of their arrest or surrender before the Trial Court within a period of four weeks from today, on furnishing bail bond of ₹30,000/- (Rupees Thirty Thousand only) each, as mentioned in Section 2(1)(d) of the *Bharatiya Nagrik Suraksha Sanhita, 2023*, to the satisfaction of the learned ACJM-IV, Danapur, in connection with Paliganj P.S. Case No. 81 of 2011, subject to the conditions as laid down under Section 482(2) of the *Bharatiya Nagrik Suraksha Sanhita, 2023*.

(Dr. Anshuman, J)

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