

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5414 of 2025

Arising Out of PS. Case No.-94 Year-2021 Thana- MANJHAGARH District- Gopalganj

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Vinay Yadav @ Binay Kumar Yadav, Son of Late Raghaw Yadav, Resident of
Village- Dharamparsa Ahirtoli, P.S.- Majhagarh, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Choudhary, Advocate

For the Opposite Party/s : Mr. M. K. Nirala, APP

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 28-02-2025 Heard Mr. Anil Kumar Choudhary, learned Advocate
for the petitioner and learned APP for the State.

2. The petitioner seeks regular bail, who is in custody
in connection with Majhagarh P.S. Case No. 94 of 2021
registered for the offences punishable under Sections 304(B)/34
of the Indian Penal Code.

3. This is the second attempt on behalf of the
petitioner, as earlier the prayer for bail of the petitioner came to
be rejected by this Court vide order dated 20.07.2024, passed in
Cr. Misc. No. 29705 of 2024, taking note of the fact that the
petitioner is the husband of the deceased, facing serious
accusation, and the trial is at the fag end.

4. Learned Advocate for the petitioner referring to the
order of this Court dated 20.07.2024 has contended that while



negating the prayer for bail of the petitioner on the last occasion, liberty was accorded to him to renew his prayer for bail, if the trial is not concluded within the stipulated period of three months. More than seven months have been elapsed, but till date the trial has not been concluded; moreover the petitioner has been incarcerated since 03.04.2021.

5. On the other hand, learned APP for the State vehemently opposes the bail application and submits that there is ample material against the petitioner that he caused the death of the deceased on account of non-fulfillment of the demand of dowry, just within four years of the marriage.

6. Regard being had to the submissions made on behalf of the parties and considering the prolonged period of custody and the observation and liberty accorded by this Court, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District Judge-IX, Gopalganj in connection with Majhagarh P.S. Case No. 94 of 2021 (S. T. No. 251 of 2021), subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-



(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(v) The court below shall verify the criminal antecedent of the petitioner and in case, at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take immediate step for cancelling the bail bond of the petitioner. However, the acceptance of bail bonds, in terms of the above-mentioned order, shall not be delayed for this purpose or in the name of verification.

(Harish Kumar, J)

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