

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20122 of 2025

Arising Out of PS. Case No.-358 Year-2024 Thana- HARNAUT District- Nalanda

1. Bindeshwar Yadav Son of Late Kishori Yadav
2. Shailendra Yadav Son of Bindeshwar Yadav
3. Manju Devi
All R/o Village - Porai, P.S.- Harnaut, District - Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Kishor Prasad, Advocate
For the Opposite Party/s : Mr.Anil Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 20-08-2025 Heard learned counsel appearing on behalf of the
petitioners and learned APP for the State.

2. Petitioners seek pre-arrest bail in connection with
Harnaut P.S.Case No.358 of 2024 dated 11.09.2024
corresponding to GR No.6128 of 2024, registered for the
offences punishable under Sections 80 & 3(5) of BNS 2023
(under Sections 304B & 34 of IPC).

3. As per the allegation made in the FIR, all the
accused persons including the petitioners for non-fulfilment of
the demand of dowry used to assault the deceased, who is the
sister of the informant, and finally with a common intention
they committed murder of the deceased.



4. Learned counsel appearing on behalf of the petitioners submitted that Petitioner no.1 (Bindeshwar Yadav) is the grand father-in-law, petitioner no.2 (Shailendra Yadav) is father-in-law and petitioner no.3 (Manju Devi) is mother-in-law of the deceased and they live separately. Petitioners have no concern with the affair of the husband and wife (deceased). On these grounds, the learned counsels seeks that the petitioners be released on pre-arrest bail.

5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioners. He further refers to Paragraph No.29 of the case diary, which relates to the statement of the child recorded in course of the investigation, who has supported the prosecution story and has narrated the manner in which the murder was committed, as such, the petitioners do not deserve to be released on pre-arrest bail.

6. Having considered the rival submissions made on behalf of the parties, as well as, having perused the case diary and the FIR, I find that there is direct allegation against the petitioners no.2 (Shailendra Yadav), and 3 (Manju Devi), who are father-in-law and mother-in-law respectively of the deceased. I am not inclined to enlarge the petitioners no.2 and



no.3 on pre-arrest bail.

7. So far as petitioners no.1 (Bindeshwar Yadav) is concerned, he is aged about 84 years old. Petitioner no.1 is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the learned district court within a period of four weeks from today, on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned ACJM -1st, Nalanda at Biharsharif/concerned court, in connection with Harnaut P.S.Case No.358 of 2024, subject to conditions as laid down under Section 482(2) of BNSS of 2023

8. The learned district court is directed to verify the criminal antecedent of the petitioner no.1 and if it is found that the petitioner is involved in some other cases as what has been stated in paragraph No.3 of the bail application, this order will automatically lose its force.

9. The present bail application is accordingly disposed of.

(Purnendu Singh, J)

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