

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25814 of 2025

Arising Out of PS. Case No.-40 Year-2024 Thana- KUSHESHWARASTHAN District-
Darbhanga

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1. Mithilesh Yadav Son of Lalan Yadav Resident of Village-Sukumarpur, P.S-Kusheshwar, Asthan, District-Darbhanga Bihar
 2. Lalan Yadav Son of Late Damodar Yadav Resident of Village-Sukumarpur, P.S-Kusheshwar, Asthan, District-Darbhanga Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amit Kumar Singh
For the Opposite Party/s : Mr.Nirmala Kumari

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 31-07-2025 Heard learned counsel appearing on behalf of the

parties.

2. The petitioners seeks bail in connection with

Kusheshwar Asthan P.S. Case No. 40 of 2024 registered for

the offence under Sections 304(B), 201 and 34 of the I.P.C.

3. The petitioners are named in the F.I.R. and they

are in custody since 29.11.2024.

4. The allegation against the petitioners is that they

caused death of the daughter of the informant alongwith

other co-accused persons and family members due to non-

fulfillment of the demand of dowry.



5. Learned counsel appearing on behalf of the petitioners submitted that petitioner no. 1 is father-in-law and petitioner no. 2 is brother-in-law, where the thrust of allegation is available against the husband who is in custody. It is submitted that petitioners being in-laws are living separately having no connection with daily and domestic affairs of the deceased and her husband and *prima-facie* his implication with present case appears only out of relation with husband of the deceased. It is also submitted that allegation *qua* demand of dowry also appears very much general and omnibus against petitioners who are claimed to be men of clean antecedent and moreover, investigation of this case is completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

6. Learned APP, opposed the prayer of bail.

7. In view of aforesaid factual submissions and by taking note of fact as petitioner no. 1 is father-in-law and petitioner no. 2 is brother-in-law facing general and omnibus allegation and claimed to be living separately *prima-facie* having no connections with daily and domestic affairs of the



deceased and her husband, coupled with the fact that charge-sheet has already been submitted where petitioners are in custody since 29.11.2024, both above named petitioners, are directed to be released on bail in connection with Kusheshwar Asthan P.S. Case No. 40 of 2024 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Addl. District and Sessions Judge I, Benipur, Darbhanga /concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C/Section 480(3) of BNSS.

(Chandra Shekhar Jha, J)

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