

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26249 of 2025

Arising Out of PS. Case No.-267 Year-2024 Thana- MAGADH UNIVERSITY District- Gaya

Birendra Yadav Son of Late Punai Yadav Resident of Village -Hasanpur P.S-
Magadh University District -Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar, Adv.

For the Opposite Party/s : Mr.Parmanand Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 05-05-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Magadh University P.S. Case No. 267 of 2024, registered for the offences under Sections 85, 80(1) of the B.N.S. and Section 3/4 of the Dowry Prohibition Act.

3. As per the prosecution case, the petitioner and other co-accused persons used to demand a four wheeler in dowry and used to torture and treat the daughter of the informant with cruelty. In the night of 09.12.2024, the informant received communication that his daughter was killed by the petitioner and other co-accused persons and her dead body was hanged.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been



falsely implicated in this case. The petitioner is father-in-law of the deceased and he has been falsely implicated in this case. Due to altercation between the spouses, the deceased committed suicide by hanging herself with a *dupatta*. The petitioner is father-in-law of the deceased and he has been living separately from the deceased and her husband and he has no concern with the household affairs of the deceased. Learned counsel further submits that husband of the deceased namely Niwash Kumar is already in custody since 24.01.2025. The petitioner is in custody since 10.01.2025 and he has no criminal antecedent. Charge sheet has been submitted.

5. Learned A.P.P. appearing for the State opposes the submission made on behalf of the petitioner. Learned A.P.P. submits that there is allegation against the petitioner and other co-accused persons for torturing and treating the daughter of the informant with cruelty and also causing her death within a year of her marriage.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the fact that the petitioner is father-in-law of the deceased and the allegations are general and omnibus, the petitioner is directed to be released on bail, on furnishing bail bonds of Rs.10,000/-



(Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-VIII, Gaya/concerned court, in connection with Magadh University P.S. Case No. 267 of 2024, subject to the condition laid down under Section 480(3) of the B.N.S.S. and other following conditions:

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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