

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32210 of 2025

Arising Out of PS. Case No.-354 Year-2024 Thana- BAIRIYA District- West Champaran

1. Krishna Yadav S/O Late Manager Yadav, R/O Village- Paschim Kargahiya, P.S- Kalibagh, O.P, Distt.- West Champaran.
2. Premshila Devi W/O Krishna Yadav, R/O Village- Paschim Kargahiya, P.S- Kalibagh, O.P, Distt.- West Champaran.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Gupta, Advocate

For the Opposite Party/s : Mr. Satyendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 21-05-2025 Heard learned counsel for the petitioners and
learned A.P.P. for the State.

2. In the present case, the petitioners are apprehending their arrest in connection with Bairiya P.S. Case No. 354 of 2024, registered for the offence punishable under Section 80(2) read with Section 3(5) of the B.N.S., 2023.

3. As per prosecution case, the daughter of the informant was married with the son of the petitioners and it was a love marriage. The allegation against the petitioners and other co-accused persons is that after keeping the daughter of the informant in good manner for some time, they started torturing her for their dowry demand. Lastly, on 14.10.2024, the



informant received information that her daughter was killed by the petitioners and other co-accused persons, who disposed of the dead body along with the dead body of her daughter. Subsequently, the dead body of daughter of the informant and her daughter were recovered from a canal.

4. Learned counsel for the petitioners submits that the petitioners are innocent and they have falsely been implicated in this case. The petitioners never demanded any dowry, never tortured the informant's daughter and the allegations are completely false and concocted. The co-accused, who happens to be the husband of the deceased, is in custody since 27.02.2025. Learned counsel further submits that the daughter of the informant and her daughter were not killed by the petitioners or other co-accused persons, rather their death was caused due to drowning in the canal and these facts have been corroborated by the independent witnesses, who saw the occurrence. The *post-mortem* report also shows that death was caused due to asphyxia as a result of drowning. Coming to know about the real fact, the informant of this case has filed a petition before the Court of learned Additional Chief Judicial Magistrate admitting the fact that the death of his daughter and her daughter was an accident. The learned counsel lastly submits



that the petitioners are having clean antecedent.

5. Learned APP opposes the submission made on behalf of the petitioners and submits that there is specific allegation against these petitioners and other co-accused persons for causing the death of daughter of informant on account of dowry demand.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that the cause of death of daughter of informant, which indicated an accidental death and further considering the possibility of false implication, let the petitioners above-named, in the event of their arrest or surrender before the Court concerned within a period of eight weeks from today, 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 Additional Chief Judicial Magistrate-III, West Champaran at Bettiah, in connection with **Bairiya P.S. Case No. 354 of 2024**, subject to the conditions as laid down under Section 482(2) of the B.N.S.S. and other following conditions:

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



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

(Arun Kumar Jha, J)

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