

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39758 of 2025

Arising Out of PS. Case No.-8 Year-2024 Thana- BARABAR TOURIST District- Jehanabad

1. Soni Devi @ Soni Kumari W/o Gaurav Yadav @ Saurav Yadav @ Gaurav Kumar Resident of Village- Pachwai, PS- Vishunganj OP, District- Jehanabad
2. Gaurav Yadav @ Saurav Yadav @ Gaurav Kumar S/o Jayram Yadav Resident of Village- Pachwai, PS- Vishunganj OP, District- Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Pathak, Advocate
For the Opposite Party/s : Mr. Satya Nand Shukla, APP

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

3 27-06-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners are apprehending their arrest in connection with Barabar Paryatak P.S. Case No. 08 of 2024 for the offence under Sections 302, 304(B), 201 and 34 of the I.P.C.

3. As per the prosecution story, the informant has alleged that he married his daughter to one Hareram Yadav according to Hindu rituals. After marriage, family members of her matrimonial home used to demand one motorcycle and Rs. 50,000/- (cash) as dowry. It is further alleged that due to non-fulfillment of additional dowry demand, his daughter was subjected to death and with a view to wipe off the evidence,



they disappeared her dead body.

4. Learned counsel for the petitioners submits that both the petitioners are innocent and have been falsely implicated in this case. Both the petitioners are *gotini* and *devar* of the deceased. They are living separately in mess and business. They are also not named in the F.I.R. In fact, she died of her ailment and information regarding her death was given to her maternal home and informant himself had participated in her funeral. It appears from the impugned order that in para 31 of the case diary, statement of mother-in-law of deceased, namely, Saraswati Devi has been recorded in which she has taken the name of these petitioners before the police. Save and except confessional statement of Saraswati Devi, nothing has come against the petitioners in the entire investigation. Learned counsel further submits that regarding the aforesaid occurrence, the case was split up and separated against the mother-in-law of the deceased namely, Saraswati Devi and the trial was started vide Sessions Trial No. 286 of 2024 in the Court of learned Additional Sessions Judge, First, Jehanabad.

5. Learned counsel for the petitioners has taken this Court to Annexure-P/2 series in which depositions of the informant along with his family members (PW-1, PW-2, PW-3,



PW-4) are mentioned. All have stated in their one voice that deceased – *Shobha Kumari* died due to her own illness and she was treated very well in her in-laws house, they have not stated any fact against the accused persons in the entire evidence.

6. Learned APP opposes the prayer for bail and submitted that deceased had died in her matrimonial home and within seven years of her marriage.

7. Keeping in view the aforesaid facts, this Court is inclined to extend him the privilege of anticipatory bail.

8. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the date of receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Additional District Judge-1st at Jehandabad, in connection with Barabar Paryatak P.S. Case No. 08 of 2024 subject to the conditions as laid down under Section 438(2) of the Cr.P.C., as also with the following conditions:-

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

(ii) Petitioners shall co-operate in the trial and shall be present on each and every fixed date till framing of charge and on their absence on two consecutive dates



without sufficient reason, his bail bonds shall be cancelled
by the learned trial Court.

(S. B. Pd. Singh, J)

Ankit/Sushma/-

U		T	
---	--	---	--

