

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38837 of 2025

Arising Out of PS. Case No.-80 Year-2024 Thana- SAHODARA District- West Champaran

Shiv Yadav @ Shiv Kumar S/o- Rambhwan Yadav Village- Kata Toli PS-
Sahodra District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Kumar Gupta, Adv

For the Opposite Party/s : Mr. Ajit Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

3 25-07-2025 Heard learned Counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner seeks regular bail in a case registered
for the offences punishable under Sections 103(1) and 3(5) of
the B.N.S.

3. As per the prosecution case, the petitioner and the
co-accused persons are alleged to have strangled the
informant's daughter to death due to non-fulfillment of demand
of dowry under conspiracy.

4. Learned counsel for the petitioner has submitted
that the petitioner happens to be the husband of the deceased
and has falsely been implicated in this case. As per the post-
mortem report, the cause of death was due to asphyxia as a
result of hanging and from ligature mark on the neck of the wife



of the petitioner it is evident that it was the case of suicide. It is also submitted that similarly situated co-accused persons have already been granted bail by this Court vide order dated 18.04.2025 passed in Cr. Misc. No. 89745 of 2024. It is lastly submitted that the petitioner has clean antecedent and is in custody since 26.03.2025.

5. Learned APP for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid submissions of the parties and also taking into account the fact that similarly situated co-accused persons have already been granted bail, let the petitioner above-named, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, West Champaran, Bettiah, in connection with Sahodara P.S Case No. 80 of 2024, subject to the following conditions:-

(i) One of the bailors will be 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 two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be canceled by the Court concerned.



(iv) If the petitioner is found involved in similar nature of offence in future, the prosecution will be at liberty to move for cancellation of his bail bond.

(v) The learned Court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of the same or in the name of verification.

7. The application stands allowed.

(Sourendra Pandey, J)

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