

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42305 of 2025

Arising Out of PS. Case No.-641 Year-2023 Thana- KRITYANAND NAGAR District-
Purnia

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1. Yogendra Yadav S/o Late Bhumi Yadav Resident of vill- Kajha Baniyapatti, P.S- K. nagar, Distt.- Purnea
 2. Rakesh Kumar @ Bhaggu Yadav @ Rakesh Yadav S/o Sri Yogendra Yadav Resident of vill- Kajha Baniyapatti, P.S- K. nagar, Distt.- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amit Kumar Anand, Adv.

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

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 30-06-2025 Heard learned counsel for the petitioners and

learned APP for the State.

2. The petitioners seek bail in K. Nagar P.S. case No.

641 of 2023 instituted for the offences under Sections 304-B

and 34 of the Indian Penal Code.

3. Prosecution allegation, in short, is that the

daughter of the informant was tortured and subjected to

assault on account of non-fulfillment of demand of dowry by

the accused persons including the petitioners and, thereafter,

they committed murder of the victim.

4. Learned counsel for the petitioners submits that



the petitioners have falsely been implicated in the present case. The petitioner no.1 is the father-in-law whereas petitioner no.2 is the devar of the deceased. He further submits that the husband of the deceased is already in judicial custody since 12.12.2023. He further submits that there is no eye-witness to the alleged occurrence. Even the Informant is not the eye-witness. There is no specific or direct allegation of any overt act against the petitioners rather the same is general and omnibus in nature. The petitioners have no concern with the alleged occurrence and have never demanded any dowry from the deceased or from her family members. The deceased was short tempered lady and committed suicide in her room. Thereafter, the petitioners and other family members carried the victim to the hospital for treatment where the victim died during treatment. The petitioners are in custody since 19.03.2025 and have no criminal antecedent. The postmortem report also shows the cause of death is asphyxia due to hanging. Charge-sheet has been submitted in this case.

5. Learned A.P.P. for the State has vehemently



opposed the prayer for grant of bail to the petitioners. Learned APP submits that the incident took place just within five months of marriage inside the matrimonial home. The offence alleged is serious in nature and hence the petitioners do not deserve bail of this Court. He further submits that the prayer for bail of the co-accused Lakshman Yadav has already been rejected by this Court vide order dated 25.09.2024 passed in Cr. Misc. No. 46615 of 2024.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioners and the petitioners having no criminal antecedent, let the petitioners, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with K. Nagar P.S. case No. 641 of 2023.

(Rudra Prakash Mishra, J)

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