

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60948 of 2025

Arising Out of PS. Case No.-180 Year-2025 Thana- SUGAULI District- East Champaran

1. Basdev Yadav S/O Late Devki Yadav R/O Village- Raypatti, Ward No. 7, Bhata, P.S- Sugauli, Distt.- East Champaran.
2. Babita Devi W/O Basdev Yadav R/O Village- Raypatti, Ward No. 7, Bhata, P.S- Sugauli, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prateek Tandon, Adv.
For the Opposite Party/s : Mr.Ajit Kumar, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR

ORAL ORDER

5 18-12-2025 Heard the learned counsel for the petitioners and
the learned Additional Public Prosecutor for the State.

2. The petitioners apprehends their arrest in connection with Sugauli P.S. Case No. 180 of 2025, dated 14.04.2025, registered under Sections 80(2) and 3(5) of the B.N.S.

3. The prosecution case, in brief, is that the informant's daughter was married with co-accused Shiv Yadav four year back, according to Hindu rites and customs. Soon after the marriage, the accused persons started demanding one bullet Motorcycle and a gold chain as dowry



and on non fulfillment of said demand, accused persons murdered his daughter.

4. Learned counsel for the petitioners submits that the petitioners before this court are the father-in-law and mother-in-law of the victim, who have also been made accused in this case. While the husband of the victim was taken into custody and he has been acquitted in this case. The petitioners are ready to appear before the competent court for carrying out the trial as against them and accordingly prayed for the privilege of anticipatory bail. Learned counsel for the petitioner during course of hearing of the anticipatory bail application has brought on record, the Judgment of acquittal recorded in favour of husband of the victim, which is kept on record and marked as 'X' and by referring to the contents of the Judgment submits that nothing incriminating has been found during course of trial against the petitioners.

5. Learned Additional Public Prosecutor for the State has opposed the prayer for anticipatory bail of the petitioners.

6. Be that as it may, since husband of the victim, against whom the trial was conducted and has been acquitted, these petitioners are also directed to be extended the benefit of privilege of anticipatory bail to participate in the trial, which



is pending against them, so that final judgments could also be recorded against the remaining accused, with the aid of the evidence, which is likely to surface during the trial.

7. Considering the aforesaid, let the above named petitioners, be released on anticipatory bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from the date of receipt/production of a copy of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each, to the satisfaction of the learned Chief Judicial Magistrate, Motihari, East Champaran in connection with Sugauli P.S. Case No. 180 of 2025, subject to the condition as laid down under Section 482 of the B.N.S. as well as the following conditions:-

(i) one of the bailors should be the family member/relative of the petitioner (s) who shall provide official document to show his/her bona fide;

(ii) the petitioner (s) shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her/their bail bond by the Trial Court itself;

(iii) the petitioner (s) shall in no way try to induce or



promise or threat the witnesses or tamper with the evidences,
failing which the State shall be at liberty to take steps for
cancellation of the bail bonds;

(iv) the petitioner (s) shall desist from committing
any criminal offence again, failing which the State shall be at
liberty to take steps for cancellation of their bail bonds.

(Ajit Kumar, J)

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