

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72718 of 2024

Arising Out of PS. Case No.-91 Year-2024 Thana- BARBIGHA District- Sheikhpura

1. Shravan Yadav @ Sharvan Kumar Son of Mallu Yadav @ Malhu Yadav @ Matlu Yadav
2. Pintu Yadav S/O Mallu Yadav @ Malhu Yadav @ Matlu Yadav.
Both R/O Village- Ramjanpur, PS- Barbigha, district- Sheikhpura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 74709 of 2024

Arising Out of PS. Case No.-91 Year-2024 Thana- BARBIGHA District- Sheikhpura

1. Rajiv Yadav Son of Prakash Yadav @ Rampravesh Yadav
2. Mantu Yadav Son of Prakash Yadav @ Rampravesh Yadav.
Both R/O Vil.- Ramjanpur, P.S.- Barbigha, Dist.- Sheikhpura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 72718 of 2024)

For the Petitioner/s : Mr.Bipin Kumar, Advocate

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

(In CRIMINAL MISCELLANEOUS No. 74709 of 2024)

For the Petitioner/s : Mr.Bipin Kumar, Advocate

For the Opposite Party/s : Mr.Anish Chandra, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 29-01-2025 Heard Mr.Bipin Kumar, learned counsel for the

petitioners and Mr.Ganesh Prasad Singh, learned Additional

Public Prosecutor for the State (Cr. Misc. No.72718 of 2024)

and Mr.Anish Chandra, learned Additional Public Prosecutor for



the State (Cr.Misc.No.74709 of 2024).

2. The petitioners are apprehending their arrest in connection with Barbigha P.S.Case No.91 of 2024, FIR dated 26.03.2024 registered for the offences punishable under Sections 302/34 of the Indian Penal Code.

3. Allegation is that the accused persons caused death of the daughter of the informant due to non-fulfilment of demand of dowry.

4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case. The allegation as alleged in the FIR is false and fabricated and the petitioners have not committed any offence as alleged in the FIR. Further submits that the informant is not the eye witness of the alleged occurrence and from a bare perusal of the FIR it appears that there is no specific allegation against the petitioners rather there is general and omnibus allegation against all the accused persons including the petitioners and the petitioners are brother-in-law of the deceased and they have no role at all in the present occurrence and apart from that, it has come during investigation that the deceased has love affair with one Sonu Kumar and he has informed the police that the deceased has committed suicide



herself. It appears from the aforesaid that the petitioners have no role in the present occurrence.

5. Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for anticipatory bail of the petitioners.

6. Considering the aforesaid facts and petitioners have clean antecedent, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000 (Ten Thousand)each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sheikhpura in connection with Barbigha P.S.Case No.91 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of the BNSS, 2023 and with other following conditions:-

(I) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(II) If the petitioners tamper with the evidence or the



witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Nitesh/-

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