

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67001 of 2025

Arising Out of PS. Case No.-118 Year-2020 Thana- BARHARA District- Bhojpur

Vikash Kumar Yadav S/o Birendra Rai @ Virendra Yadav, R/o Village-
Shaligram Singh Ke Tola, P.S.- Barhara, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Ms. Malti Kumari, Advocate
For the State	:	Mr. Jitendra Kumar Singh, APP
For the Informant	:	Mr. Pankaj Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

- 4 14-11-2025 1. Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel for the informant.
2. The petitioner has renewed his prayer for grant of
regular bail in connection with Barhara P.S. Case no.118 of
2020 registered under sections 304B, 201 and 34 of the Indian
Penal Code.
3. As per the prosecution case, the daughter of the
informant who was married to the petitioner herein was tortured
for demand of dowry by way of motorcycle and was ultimately
done to death.
4. Learned counsel for the petitioner submits that the
earlier prayers for bail of the petitioner were rejected vide order
dated 29.2.2024 (Annexure-P/1) passed in Cr. Misc. no.76700
of 2023 and order dated 14.2.2025 passed in Cr. Misc. no.86558



of 2024. Inspite of the petitioner having remained in custody since 2.8.2023 and cooperating in the trial, neither the trial is proceeding in the learned below Court nor is there any chance of the same concluding in the near future. The petitioner undertakes to abide by any conditions which may be laid by this Court for his release on bail.

5. The application for bail is opposed by learned A.P.P. for the State and learned counsel for the informant. Learned counsel for the informant submits that the petitioner happens to be the husband of the deceased. The daughter of the informant was killed by the accused persons including the petitioner herein and her body disposed of before any postmortem examination could be conducted. Learned counsel further submits that as per instructions received, the other co-accused persons who have been enlarged on bail are not cooperating in the learned trial Court and the case is going on for their appearance. Once this petitioner is enlarged on bail he too will abscond and not permit the trial to proceed.

6. A supplementary affidavit has been filed on behalf of the petitioner enclosing with the same a copy of the order dated 19.12.2024 passed in Barhara P.S. Case no.118 of 2020 by learned Chief Judicial Magistrate, Ara. A perusal of the said



order would show that charge-sheet was submitted in the case in the year 2022 showing that co-accused Vikash Kumar @ Vikash Yadav, Virendra Singh, Gyanti Devi and Ram Prasad Rai are absconding. Further, so far as Munna Rai and Durgawati Devi are concerned, cognizance was taken against them under sections 304B, 201 and 34 of the Indian Penal Code, however non of these persons are appearing and the case is continuing for their appearance in the learned Court below and for which non-bailable warrants have also been issued.

7. Having heard learned counsel for the parties and taking into consideration the allegations against the petitioner in the F.I.R., the petitioner being the husband of the deceased together with the conduct of the other co-accused who have absconded and are not appearing in the learned Court below inspite of issuance of non-bailable warrants against them, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

(Partha Sarthy, J)

avinash/-

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

