

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82815 of 2024

Arising Out of PS. Case No.-310 Year-2024 Thana- MOKAMAH District- Patna

Vikash Kumar @ Vikash Yadav, S/o Late Anandi Ray, Resident of village-
Mekra, PS- Mokama, Distt. - Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Mahesh Yadav S/o Ramsare Yadav R/o Vill - Sarmaidan, P.S. - Hathiyawan,
Distt. - Sheikhpura

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Prem Ranjan Kumar, Advocate
For the State	:	Ms. Rina Sinha, APP
For the Informant	:	Mr. Kumar Malendu, Advocate

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 04-02-2025 Heard learned counsel for the petitioner, Ms. Rina Sinha, learned APP for the State and learned counsel for the Informant.

2. The petitioner has prayed for bail in a case registered for the offence punishable under Sections 103(1) and 3(5) of the Bhartiya Nyaya Sanhita, 2023.

3. The case of the prosecution is that the daughter of the informant was married 11 years ago with Gulshan Yadav. It has further been alleged that she was subjected to cruelty on account of non-fulfillment of dowry demand. It is further stated that on 01.08.2024 at about 06:00 A.M., informant received an information that his daughter has been killed by the in-laws.

4. Learned counsel appearing on behalf of the



petitioner has submitted that name of this petitioner is not there in the FIR but it has surfaced in the restatement of the informant. He further submits that the petitioner was living separate from his brother even prior to the occurrence and to support this he has filed Annexure-P/2 which is partition by Gram Kachahri. Learned counsel further submits that the deceased has three children. Two of them has given their statement during investigation and they have stated that they were sleeping with their mother and when she did not woke up in the morning, they tried to woke her up, even all the family members tried to woke her (deceased) up but she did not woke up and then she was rushed to hospital and then came to know that she is dead. The petitioner is a man of clean antecedent and he is in jail since 24.08.2024.

5. The application for bail is vehemently opposed by learned APP for the State as well as learned counsel for the Informant.

6. Having heard learned counsel for the parties and considering that the petitioner is the brother-in-law of the deceased who is living separate prior to the occurrence, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing



bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court of Additional Chief Judicial Magistrate-III, Barh (District-Patna) in connection with Mokama P.S. Case No. 310 of 2024.

7. Accordingly, the present bail application stands allowed.

(Ashok Kumar Pandey, J)

durgesh/-

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

