

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83740 of 2024

Arising Out of PS. Case No.-797 Year-2023 Thana- MASAUDHI District- Patna

Bihari Yadav S/O Vijay yadav R/O Village-Chakand, Karai, P.O.-
Lahsuna,PS- Masaurhi(Lahsuna O.P.),Distt- Patna, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 21-02-2025 Heard Mr. Mrityunjay Kumar, learned counsel for
the petitioner and learned APP for the State.

2. The petitioner is in judicial custody in connection with Masaurhi (Lahsuna O.P) P.S. Case No.797 of 2023 for the offences punishable under Sections 341, 232, 498(A), 304(B) and 34 of the Indian Penal Code, lodged on 12.11.2023 by the informant, Kamindra Prasad.

3. As per the prosecution story, the informant alleged that his daughter was married to Chandan Yadav but was always tortured for dowry and on 10.11.2023 came to know about her death. Accordingly, the F.I.R.

4. Learned counsel for the petitioners submits that it was a natural death, the husband surrendered and is in custody since 15.03.2024 (paragraph 17 of the petition) and further, the



petitioner is the father-in-law, living separately having no role to play.

5. Learned counsel for the petitioner also submits that the death took place within three months of the marriage and, as such, the role of father-in-law/mother-law beside the husband cannot be ruled out.

6. Though the allegation is there, the husband being the person responsible for the death is already in custody, as stated above, the petitioner is the father-in-law, having no criminal antecedent, in custody since 24.06.2024, submission is that he is living separately, F.I.R. is there, he shall be facing Trial, in that background, this Court is inclined to extent him the privilege of bail.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of Learned Additional Chief Judicial Magistrate, Masaurhi, in connection with Masaurhi (Lahsuna O.P) P.S. Case No.797 of 2023 subject to the following conditions:

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



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

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(iv) the petitioner 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 bail bond.

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

(Rajiv Roy, J)

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