

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87801 of 2024

Arising Out of PS. Case No.-450 Year-2024 Thana- WAJIRGANJ District- Gaya

Fakira Yadav @ Fakir Yadav Son of Late Kail Yadav, Resident of Village -
Sakardas Nawadah, P.S. - Wazirganj, District - Gaya (Bihar).

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Sudhir Kumar Sinha, Advocate
For the Opposite Party : Mr. Ahmad Ali, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 28-02-2025 Heard Mr. Sudhir Kumar Sinha, the learned counsel
for the petitioner and Mr. Ahmad Ali, the learned Additional
Public Prosecutor for the State.

2. The petitioner is in judicial custody in connection with Wazirganj P.S. Case No. 450 of 2024, registered for the offences punishable under Sections 80 and 3(5) of the BNS, 2023, lodged on 04.07.2024 by the informant, Laldev Yadav.

3. As per the prosecution story, the daughter of informant was subjected to torture by her in-laws over non-fulfillment of dowry demand. It is further alleged that informant received information regarding deterioration of his daughter's health and he informed the same to the police on suspicion and rushed to his daughter's matrimonial house and found that her



dead body has already been burnt.

4. Learned counsel for the petitioner submits that petitioner is father-in-law of the deceased and the husband of the deceased is in custody since 06.07.2024. He further submits that petitioner is old age person and similarly situated co-accused person namely, Sanju Yadav, who happens to be the brother-in-law of the deceased has been extended the privilege of bail by this Court vide order dated 25.11.2024 passed in Cr. Misc. No. 80813 of 2024.

5. Learned Additional Public Prosecutor for the State on the other hand opposes the prayer submitting that petitioner carries one criminal antecedent.

6. Taking into account the aforesaid facts and also the facts that petitioner is father-in-law of the deceased, the husband of the deceased is in custody, petitioner is also in custody since 06.08.2024 and undertaking has been given that he shall be diligently appearing in the trial, in this background, this Court is inclined to extend him the privilege of bail with the conditions.

7. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand only) with two sureties of the like amount each to the



satisfaction of learned Additional Chief Judicial Magistrate-I, Gaya, in connection with Wazirganj P.S. Case No. 450 of 2024, 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 is bona fide;

(ii) the petitioner 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 bail bond by the Trial Court itself;

(iii) the petitioner shall, in no way, try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) 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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