

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20921 of 2026

Arising Out of PS. Case No.-54 Year-2025 Thana- Lokha District- Supaul

Phulendra Yadav Son of Rajendra Yadav Resident of Village- Kajra
(Mohania) Ward No. 12, PS.- Lokaha, District- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Patla Kumari, Advocate

For the Opposite Party/s : Mr. Jai Narain Thakur, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 30-03-2026 Heard Ms. Patla Kumari, learned counsel for the

petitioner and Mr. Jai Narain Thakur, learned Additional Public

Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
17.10.2025 in connection with Lokaha P.S. Case No. 54 of
2025, F.I.R. dated 20.06.2025 for the offences punishable under
Sections 103, 80 and 3(5) of the BNS, 2023 and Section 3/4 of
the Dowry Prohibition Act.

3. According to prosecution case, all the accused
persons including this petitioner have killed the informant's
sister due to non-fulfillment of demand of dowry.

4. Learned counsel for the petitioner submits that
petitioner is innocent and he has falsely been implicated in the



present case. The allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR. She further submits that the informant is not the eye witness of the alleged occurrence and merely on the basis of suspicion the informant has filed the present case. From perusal of the FIR it appears that although the petitioner is named in the FIR but there is no specific allegation of assault or demand of dowry against this petitioner rather there is general and omnibus allegation against all the accused persons including this petitioner. As per the allegation in the FIR, the father-in-law and husband of the deceased have strangled the deceased and petitioner has been made accused merely on the ground that he is cousin father-in-law of the deceased. The husband of the deceased is languishing in judicial custody and the petitioner is in custody since 17.10.2025.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner is named in the FIR and apart from that the petitioner carries four criminal antecedents other than the present one but fairly submits that he is on bail in two cases and rest two cases are pending for consideration before the competent Court of law.



6. Considering the aforesaid facts and circumstances that there is no specific allegation against the petitioner in the FIR and the husband of the deceased is in judicial custody, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Supaul in connection with Lokaha P.S. Case No. 54 of 2025, subject to the following conditions:-

i. Petitioner 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 his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers 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 petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. 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)

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