

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79598 of 2025

Arising Out of PS. Case No.-26 Year-2025 Thana- Kanaria District- Saharsa

Saheb Yadav @ Cheha Yadav @ Chahar Yadav S/o Late Tufan Yadav R/o
Village- Sukhasan, PS- Kaneria, District- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satyapal Singh, Advocate

For the Opposite Party/s : Mr.Ajit Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 29-01-2026 Heard Mr.Satyapal Singh, learned counsel for the
petitioner and Mr.Ajit Kumar, learned Additional Public
Prosecutor for the State.

2. The petitioner seeks bail, who is in custody since
19.07.2025 in connection with S.Tr.No.317 of 2025 arising out
of Kaneria P.S. Case No. 26 of 2025, F.I.R. dated 17.05.2025
registered for the offence punishable under Sections 80(2)/3(5)
of BNS,2023.

3. Allegation against the petitioner is that she
alongwith other co-accused persons have in furtherance of their
common intention committed the dowry death of the sister of
the informant.

4. Learned counsel appearing for the petitioner
submits that the petitioner has clean antecedent. The allegation



as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR. From a bare perusal of the FIR it appears that the petitioner has been made accused in the present case merely on the ground that he is father-in-law of the deceased. Learned counsel for the petitioner submits that it has come during investigation that the deceased gave birth of a child and within 24 hours of his birth the child was died. Thereafter, after complication of the sister of the informant, she has been admitted in the hospital and due to negligence of the Doctor she died. Learned counsel for the petitioner submits that the husband of the deceased, who happens to be the son of the petitioner, is in judicial custody since 28.05.2025. The police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 19.07.2025.

5. Learned A.P.P. for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts, 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 learned District and Additional Sessions Judge-V, Saharsa in connection with S.Tr.No.317 of



2025 arising out of Kaneria P.S. Case No. 26 of 2025, with 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/her absence on two consecutive dates without sufficient reason, his/her 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)

Nitesh/-

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