

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54739 of 2023

Arising Out of PS. Case No.-51 Year-2021 Thana- PASRAHA District- Khagaria

Chharbin Yadav @ Kalchhun Yadav @ Dharmendra Yadav Son Of Late
Ramswarath Yadav R/O- Piparpanti P.S- Pasraha Dist.- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amar Kumar Singh, Advocate

For the Opposite Party/s : Mr. Ram Anurag Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 25-08-2023 Heard learned counsel appearing on behalf of the

petitioner and learned Additional Public Prosecutor appearing

on behalf of the State.

2. Let the defect(s), if any, be removed within a period
of four weeks from today.

3. The accused/petitioner is not named in the F.I.R.

and apprehending his arrest in connection with Supplementary
Pasraha P.S. Case No. 51 of 2021, G.R. No. 1152/2021
registered for the offences punishable under Sections
302/34/120B of the Indian Penal Code.

4. The allegation against the petitioner is to commit
murder of son of the informant alongwith named and unknown
co-accused persons, where dead body of deceased found
hanging in outhouse of agricultural field. The occurrence



alleged to be founded over land disputes.

5. Learned counsel appearing on behalf of the petitioner submitted that the petitioner is not named in the FIR, whereas the named co-accused persons have already granted anticipatory bail through Cr. Misc. No. 33959 of 2023 dated 25.07.2023. It is submitted that as named co-accused persons alongwith unknown persons were found running away from “Basa” (outhouse of agricultural field) of informant, where later on dead body of son of informant was found hanging, mere on the basis of said suspicion, the petitioner was implicated. It is submitted that the reason for implication of this petitioner is land dispute. It is further submitted that after investigation, police submitted final form against named co-accused persons. It is submitted that mother of deceased though claimed involvement of this petitioner in the present occurrence but specifically stated that the basis of her claim is the hearsay input as she received from unknown villagers. While concluding the argument, it is submitted that petitioner is a man of clean antecedent.

6. Learned APP opposes the prayer of bail.

7. Considering the aforesaid facts and circumstances as petitioner is not named in the FIR, where implication appears



on hearsay input, let above named petitioner, in the event of his arrest or surrender within a period of four weeks, is directed to be released on anticipatory 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 J.M., 1st Class, Khagaria/concerned Court, where the case is pending in connection with Supplementary Pasraha P.S. Case No. 51 of 2021, G.R. No. 1152/2021 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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