

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29189 of 2024

Arising Out of PS. Case No.-317 Year-2023 Thana- SAHEBPUR KAMAL District-
Begusarai

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Kanhaiya Yadav, aged about 25 years (male), S/O Late Dashrath Yadav, R/O
Village - Gyan Tol, P.S -S. Kamal, Distt. - Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Santosh Kumar Singh, Advocate
For the Opposite Party/s : Mr. Jai Narain Thakur, APP

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 15-05-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends arrest in connection with
S. Kamal PS Case No.317 of 2023 dated 25.11.2023, instituted
under Sections 147, 148, 149, 385, 379, 307, 504 of the Indian
Penal Code and Section 27 of the Arms Act.

3. The prosecution case, in short, is that the informant
got information that some criminals would take fish from his
pond situated in front of his house due to non-fulfillment of
demand of dowry and he would be killed on objection. On the
alleged date of occurrence, the petitioner and other accused
persons armed with weapons came and started fishing. On
objection by the informant and his family, they started firing



indiscriminately. They looted away one quintal of fish from the pond.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. It has been submitted that the *Sairat*, in question, has been settled in the name of Jhangru Sahni @ Suman Kumar son of Prabhu Sahani. Petitioner is the associate of Jhangru Sahni @ Suman Kumar. It is further submitted that vide Annexure-3 settlement amount of *Jalkar* has already been deposited by Jhangru Sahni @ Suman Kumar on 29.07.2023 for the period from 01.07.2023 to 30.06.2025. The allegation against the petitioner and other co-accused is false and concocted. The informant has no concern with the said *Jalkar*/pond. The allegation of fishing is totally false and fabricated. Lastly, it is submitted petitioner has one criminal case against him.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned



Chief Judicial Magistrate, Begusarai, in S. Kamal PS Case
No.317 of 2023, subject to the conditions laid down in Section
438(2) of the Code of Criminal Procedure, 1973.

7. The application stands allowed.

(Khatim Reza, J)

J. Alam/-

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