

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.3011 of 2025**

Arising Out of PS. Case No.-816 Year-2024 Thana- BIHTA District- Patna

1. Sanjay Kumar Yadav @ Sanjay Yadav S/O Late Muta Yadav @ Mula Yadav R/O Village- Kunjawa, P.S- Bihta, Distt.- Patna. At Present Resident of Kahari Tola Sarai, P.S- Maner, Distt.- Patna.
2. Meena Devi W/O Sanjay Kumar Yadav @ Sanjay Yadav R/O Village- Kunjawa, P.S- Bihta, Distt.- Patna. At Present Resident of Kahari Tola Sarai, P.S- Maner, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

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|--------------------------|---|----------------------------------------------------------------|
| For the Petitioner/s     | : | Mr. Mahesh Narayan Parbat, Sr. Adv<br>Mr.Sanjay Kumar Jha, Adv |
| For the Opposite Party/s | : | Mr.Sanjay Kumar Tiwary<br>Mr. Hemant Kumar                     |

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

3      08-05-2025              1.      Heard learned senior counsel for the petitioners, learned A.P.P. for the State and the learned counsel appearing on behalf of the informant.

2.      The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 103(1), 3(5) of the Bharatiya Nyaya Sanhita.

3.      Learned senior counsel for the petitioners submits that the petitioners are persons with clean antecedent; and petitioner No. 2 is a woman and is wife of petitioner No. 1. It is next submitted that petitioner No. 1 is brother of late Dhananjay. It is further submitted that the son of informant, namely,



Avinash was having affairs with the daughter of late Dhananjay. It is also submitted that on 29th August 2024, Avinash received a call and thereafter left his home, but did not return in the night and later when a search was made, the dead body of Avinash along with the daughter of late Dhananjay was found in a dilapidated house of Dhananjay.

4. Learned counsel for the petitioners submits that since petitioners are related to Dhananjay, as such they have been implicated in the instant case by the informant based on suspicion when he is not an eyewitness to the occurrence. It is next submitted that late Dhananjay's daughter was in relationship with Avinash, son of the informant, as such it might be a case of honour killing, but then petitioners are persons with clean antecedent and are separate in mess and property from Dhananjay, since they are related hence they have been implicated in the instant case. It is also submitted that Vishal, son of late Dhanajay, was arrested, who confessed the crime. Learned senior counsel next submits that the dead body of Avinash and the daughter of late Dhananjay was recovered from a house, which fell in share of the petitioners, it is thus submitted that had the petitioners been involved in the occurrence, whether they would have allowed the dead body to



be concealed in their share of the property, which amply demonstrates that after the occurrence was committed by Vishal and Vishal in order to implicate the entire family members concealed the dead body of deceased in the share of the property of the petitioners. It is also submitted that petitioner will not abscond rather will cooperate in the investigation to prove their innocence. It is next submitted that Manjay Yadav along with 4 others had approached this Court seeking anticipatory bail by filing Cr. Misc No. 4581 of 2025 and the same was allowed by an order dated 12-2-2025.

5. Learned A.P.P. for the State and the learned counsel appearing on behalf of the informant opposes the prayer for anticipatory bail of the petitioners and are not in a position to rebut the submission of the learned senior counsel appearing on behalf of the petitioners that informant is not an eyewitness to the occurrence and the entire allegation hinges around suspicion and it does not appear probable that petitioners would have allowed the dead body to be concealed in a house which fell in their share after partition with Dhananjay.

6. Considering the submissions made by the learned senior counsel for the petitioners and also taking into consideration the fact that Manjay Yadav and 4 others were



granted the privilege of anticipatory by an order dated 12-2-2025 in Cr. Misc No. 4581 of 2025, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Bihta P.S. Case No. 816 of 2024, subject to the conditions as laid down under Section 482 (2) of the BNSS.

7. However, it is made clear that in the event, if the Investigating Officer of the case files an application before the learned trial court bringing to its notice that the petitioners, despite giving assurance to this Court, are not cooperating in the investigation, the learned trial court shall be at liberty to forthwith cancel the bail bonds of the petitioners .

8. Let a copy of this order be sent to the concerned police station through the learned Trial Court.

**(Satyavrat Verma, J)**

SUMIT/-

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