

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2605 of 2025

Arising Out of PS. Case No.-195 Year-2024 Thana- KATEYA District- Gopalganj

Harihar Gond @ Harihar Sah Gond Son of Pitambar Gond village- Nand Patti, Ps- kayeta, Dist- gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Priya Raj, Advocate

For the Opposite Party/s : Mr. Ahmad Ali, APP

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

3 08-05-2025 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehend his arrest in connection with Kateya P.S. Case No. 195 of 2025, registered under Section 302 of the Bhartiya Nyaya Sanhita.

3. As per the prosecution story, the informant namely, Shatrudhan Yadav alleged that on 01.06.2024 at about 12 noon, his father, Rajendra Yadav was levelling soil at their doorsteps when neighbour, Harihar Gond (petitioner), assaulted and pushed him after which Rajednra Yadav fall headfirst on the ground and died on the spot.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case merely on a land dispute. The petitioner has clean



antecedent.

5. In the supplementary affidavit, document have been brought on record which prima facie demonstrates that there was a previous dispute between the petitioner and the deceased, Rajendra Yadav, relating to encroachment on the land of the petitioner by the deceased. The injury report which has been brought on record also observed that no exclusive injury was seen over the body and the Vesera have been preserved for chemical analysis and final opinion is still reserved till the report comes from the forensic lab. Prima facie, it appears to be a case where the petitioner has been implicated on account of previously existing dispute relating to land encroachment between the petitioner and the deceased, Rajendra Yadav.

6. Learned Additional Public Prosecutor for the State has vehemently opposed the prayer for anticipatory bail.

7. Considering the facts and circumstances of the present case and particularly the fact that there is land dispute between the parties, this Court is inclined to grant privilege of anticipatory bail to the petitioners.

8. Let the petitioner, named above, in the event of his arrest or surrender before the Court below within four weeks from today, be released on bail on furnishing bail bond of



Rs.25,000/- (Twenty Five thousand) with two sureties of the like each amount each to the satisfaction of learned Chief Judicial Magistrate, Gopalganj, in connection with Kateya P.S. Case No. 195 of 2024, subject to the condition laid down under Section 482 of the Bhartiya Nyaya Sanhita.

(Alok Kumar Sinha, J)

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