

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12043 of 2025

Arising Out of PS. Case No.-369 Year-2023 Thana- JHAJHA District- Jamui

Sattan Yadav S/O Late Arjun Yadav R/O Village- Baijla, P.S.- Jhajha, Dist-
Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yogesh Chandra Verma, Sr. Advocate
Mrs. Priyanka Singh, Advocate
For the Opposite Party/s : Mr. Anant Kumar 1, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 13-05-2025 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Jhajha P.S. Case No. 369 of 2023 for the offence under sections 328, 302 and 307 of the Indian Penal Code lodged on 15.07.2023 by the informant, Santosh Yadav.

3. As per the prosecution story, the informant (now deceased) alleged that he was working under the petitioner in Bangalore, returned to home but Rs. 20,000/- (*wrongly typed as Rs. 2,00,000/- both in digit as also in words in paragraph-4 of the petition*) was due. Allegation is that on 12.07.2023, he went to the petitioner's house for the amount. There he decided to stay with him, had food and later, lost consciousness. When he regained consciousness, found himself in a hospital, returned



home but the body was not functioning properly and there was numbness in his lower back. This led to the FIR.

4. Subsequently, the informant died and now the petitioner is before this Court for grant of anticipatory bail as Section 302 of the I.P.C. has been included in the FIR.

5. Learned Senior Counsel for the petitioner submits that the fact that he stayed with the petitioner and they had food clearly shows that there was bonhomie between them, there was no reason to put poisonous substance in it and actually, he took some liquor, had a fall from the roof which resulted into the unfortunate numbness in the lower back and subsequent death. He further submits that the petitioner do not have any criminal antecedent and is ready to diligently appear in trial.

6. Learned APP opposes the prayer submitting that the allegation was made by the informant who is now no more.

7. Having heard the parties and perusing the case diary as also the report submitted by the Forensic Science Laboratory which shows that *no Metallic, Alkaloidal, Glycosidal, Pesticidal & Volatile Poison* could be detected in the viscera of the deceased which was handed over to the said laboratory coupled with the fact that has been narrated/submitted by the learned Senior Counsel and this



petitioner has no criminal antecedent, in that background, this Court is inclined to extend him the privilege of anticipatory bail with conditions.

8. Mr. Adarsh Singh, learned counsel for the petitioner tenders apology for the above mentioned mistake/incorporation of Rs. 2,00,000/- instead of Rs. 20,000/- in the petition and submits that the Office shall be depositing Rs. 200/- in the Patna High Court Legal Services Committee and the receipt shall be filed in the Office by Friday.

9. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Jamui in connection with Jhajha P.S. Case No. 369 of 2023 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his



bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

Adnan/-

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