

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11660 of 2025

Arising Out of PS. Case No.-342 Year-2024 Thana- SAHPUR District- Patna

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1. Arbind Sao @ Arvind Kumar @ Aqrvind Sao S/o Late Suryavanshi Sao R/o vill- Ushri Khurd, P.S.- Shahpur, Distt.- patna
 2. Ajit Sao @ Ajit Kumar S/o Late Suryavanshi Sao R/o vill- Ushri Khurd, P.S.- Shahpur, Distt.- patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Kumar Singh, Advocate
For the Opposite Party/s : Mr. Dr. Ajeet Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 28-07-2025 Heard Mr. Rajeev Kumar Singh, learned counsel for the petitioners and Mr. Dr. Ajeet Kumar, learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Shahpur P.S. Case No. 342 of 2024, F.I.R. dated 11.10.2024 for the offences punishable under Sections 103(1) & 3(5) of the Bharatiya Nyay Sanhita, 2023.

3. According to prosecution case, the informant alleged that the petitioners, orchestrated the murder of his father, namely, Sumuji Sao (now, deceased)by allegedly hiring shooters for the crime, over a land dispute.

4. Learned counsel for the petitioners submits that



petitioners have clean antecedent and they have falsely been implicated in the present case. It appears from the FIR that due to admitted land dispute the present occurrence has taken place. Although informant has claimed that land in question belong to him but it appears from Annexure-2 of the bail application that the land in question belong to the petitioners and informant is aggressor in the present case and except the suspicion, no other cogent material has come during investigation against the petitioners which suggest the involvement of the petitioners in the present occurrence and informant is not the eye witness of the alleged occurrence and apart from that mother of the petitioners has already filed a detailed application before SSP, Patna to look into the matter personally which suggest that the land in question belongs to the petitioner.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners.

6. Considering the aforesaid facts and circumstances, petitioners have clean antecedent and as per the FIR, land in question belongs to the petitioners and except the suspicion no other material has come during investigation against the petitioners which suggest the involvement of the petitioners in the present occurrence, let the petitioners, above named, in the



event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Danapur in connection with Shahpur P.S. Case No. 342 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

i. Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

ii. If the petitioners tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the



acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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