

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25936 of 2025

Arising Out of PS. Case No.-160 Year-2024 Thana- SALAKHUA District- Saharsa

1. Rajo Yadav @ Rajendra Yadav son of Yugal Kishore yadav
 2. Prakash yadav son of Late Bandelal Yadav
 3. Dinesh Yadav @ Dinesh Jadab Son Of Late Bandelal Yadav
 4. Amit Yadav @ Amit Kumar Amar, son of Upendra Prasad Yadav
- All are resident of Village - Kopariya, Ward no. 10, Ps- Salkhua, Dist- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Mishra, Advocate
For the Opposite Party/s : Mr.Ajit Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 14-08-2025 Learned counsel appearing on behalf of the petitioners seeks to withdraw the present petition on behalf of the petitioner no.1 as he has been arrested.

2. Permission is accorded.

3. Accordingly, the present petition is dismissed as withdrawn with respect of petitioner no.1.

4. Heard Mr. Pramod Mishra, learned counsel appearing on behalf of the petitioners and Mr. Ajit Kumar learned APP for the State.

5. The petitioners no.2, 3 and 4 seek pre-arrest bail in connection with Salkhua P.S. Case No. 160/2024 registered for



the offence(s) punishable under Sections 436/34 of the Indian Penal Code.

6. As per the allegation made in the FIR, all the accused persons named in the FIR including the petitioners had set fire on the house of the informant, as a result of which, 17 bags of maize, 4 bags of wheat, household goods etc. got burnt.

7. Learned counsel appearing on behalf of the petitioners submitted that petitioners are innocent and have been falsely implicated in the present case. No recovery has been made by the police of any burnt articles including the grains from the place of incidence, which falsifies the allegation against the petitioners.

8. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

9. Having considered the rival submissions made on behalf of the parties, as well as, having perused the allegation made in the FIR and the material which has surfaced in course of the investigation, I find that in absence of any burnt article recovered from the place of incidence and in want of any material against the petitioners, I am of the opinion that petitioners no.2, 3 and 4 have, prima facie, made out a case to be released on pre-arrest bail.



10. The petitioners no.2, 3 and 4 above named, are directed to be released on pre-arrest bail, in the event of their arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Ist Class, Saharsa in connection with Salkhua P.S. Case No. 160/2024, subject to the conditions as laid down under Section 482(2) of the BNSS.

11. The learned District Court is directed to verify the criminal antecedent of the petitioners and if it is found that the petitioners are involved in some other cases, as what has been stated in paragraph no.3 of the bail application, this order will automatically lose its force.

(Purnendu Singh, J)

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