

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32062 of 2025

Arising Out of PS. Case No.-18 Year-2024 Thana- ANTI District- Gaya

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Basant Yadav @ Basant Kumar Son of Sri Vasudeo Yadav Resident of Village
- Simrahua, P.S.- Anti, District - Gaya (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Gajendra Kumar Singh, Advocate

For the Opposite Party/s : Mr.Binod Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 20-05-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. In the present case, the petitioner is apprehending his arrest in connection with Anti P.S. Case No. 18 of 2024 registered for the alleged offences under Sections 201, 302 and 34 of the Indian Penal Code.

3. As per prosecution case, the daughter of the informant was married with co-accused Upendra Yadav 15 years ago. For sometime daughter of the informant was kept properly by her in-laws and later on they started torturing her on account of their fulfillment of demand of dowry. On the fateful night, the informant received information about her daughter being seriously ill and in the early morning, the husband of the daughter of the informant informed him about the death of her



daughter. When the informant reached there, the petitioner and other co-accused persons refused to show her dead body and drove her out from their house. Subsequently, the informant came to know that after killing her daughter, dead body was cremated.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Petitioner is not related with other co-accused persons and he is Ward Member and in that capacity he was present at the spot. There is no specific allegation against this petitioner and from the FIR, it is also apparent that there is no specific overt act attributed to the petitioner. Due to village politics, the petitioner has been made accused in this case. No cogent material is available on record against the petitioner. Petitioner is having antecedent of two cases and he is on bail in both the cases.

5. Learned APP opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that petitioner is Ward Member and not related to the other co-accused persons and also considering the possibility of false



accusation, let the petitioner named above, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-VI, Gaya/ court concerned in connection with Anti P.S. Case No. 18 of 2024, subject to the condition laid down under section 482(2) of the B.N.S.S. and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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