

Arising Out of PS. Case No.-162 Year-2024 Thana- KHIJARSARAI District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

For the Petitioner/s : Mr. Abhishek Kumar, Advocate
For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP
For the Opposite Party No.2: Mr. N.K. Agrawal, Sr. Advocate

4 04-08-2025 1. Heard learned counsel for the petitioner, learned
counsel for the State and learned senior counsel for the opposite
party No.2.

2. At the outset, learned counsel for the petitioners seeks permission to withdraw the present anticipatory bail application on behalf of petitioner No.1/Amrendra Kumar @ Sadhu Yadav @ Amrendra Singh.

3. The permission is accorded, and the same is dismissed as withdrawn.

4. The application now survives only against the petitioner No.2/Arun Kumar.



5. The petitioner No.2/Arun Kumar apprehends his arrest in connection with Khizersarai P.S. Case No.162 of 2024 registered under Sections 302, 201, 120(B), 34 of the Indian Penal Code and Section 27 of the Arms Act.

6. The allegation in the first information report is that the dead body of the informant's husband was found near the field of one Ramchandra Yadav with a bullet injury on his head and it was suspected that all the accused persons including petitioner No.2 had killed the deceased on account of a dispute with regard to the partition of land.

7. Learned counsel for the petitioner submits that it would be apparent from the first information report itself that there is an admitted land dispute between the parties and the petitioner No.2 is the own brother of the deceased and only on account of such dispute with regard to the partition he has been made accused in the present case. From the entire materials collected during the investigation, it would transpire that there is not a single eyewitness to the occurrence and there is no witness even to suggest that the deceased was last seen in the company of the petitioner No.2/Arun Kumar or the other accused persons. The case only rests on suspicion and petitioner No.2/Arun Kumar is a teacher who has no criminal antecedent.



8. Learned senior counsel appearing on behalf of the opposite party No.2, however, opposes the grant of anticipatory bail.

9. Considering the facts and circumstances of the case, it is directed that the petitioner No.2/Arun Kumar, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Khizersarai P.S. Case No.162 of 2024 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned 18th Additional Sessions Judge, Gaya, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of the B.N.S.S, 2023 and subject to the further condition that the learned Court below would however, verify the criminal antecedent of the petitioner before releasing him on bail.

(Soni Shrivastava, J)

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