

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42943 of 2025

Arising Out of PS. Case No.-238 Year-2024 Thana- BELAGANJ District- Gaya

Subodh Yadav @ Subodh Kumar S/o Satyendra Yadav R/o Village- Mayapur,
PS- Muffasil, Distt.- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Ram Naresh Ray, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 16-07-2025 Heard Mr. Ajay Kumar Sinha, learned counsel for
the petitioner and Mr. Ram Naresh Ray, learned Additional
Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Belaganj P.S. Case No. 238 of 2024, F.I.R. dated 01.05.2024 for the offences punishable under Sections 302/34 of the Indian Penal Code.

3. According to prosecution case, all the accused persons including this petitioner who happens to be the brother-in-law of the deceased have killed the deceased by giving her poison.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case merely on the ground that he is



brother-in-law of the deceased. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offences as alleged in the F.I.R. In fact, the petitioner is living separately from the deceased and her family members. Apart from that it appears from the F.I.R that the informant is not the eye witness of the alleged occurrence and even no one is the eye witness of the present occurrence. He further submits that the victim has committed suicide herself. He further submits that the similarly situated co-accused, namely, Sanju Kumari @ Sanju has been granted anticipatory bail by a Co-ordinate Bench of this Court vide order dated 08.05.2025 passed in Cr. Misc. No. 2457 of 2025 and another co-accused, namely, Shriram Yadav has also been granted anticipatory bail by this Court vide order dated 20.05.2025 passed in Cr. Misc. No. 22680 of 2025.

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

6. Considering the aforesaid facts and circumstances that the petitioner has clean antecedent and the similarly situated co-accused persons have been granted anticipatory bail, let the petitioner, 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) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Gaya in connection with Belangaj P.S. Case No. 238 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. Petitioner 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 his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner 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 petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. 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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