

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44925 of 2025

Arising Out of PS. Case No.-199 Year-2024 Thana- PARAIYA District- Gaya

Vinay Yadav Son of Late Narsingh Yadav Resident of Village - Kamaldah,
Police Station - Paraiya, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aryan Singh, Advocate

For the Opposite Party/s : Mr. Nazir Ansari, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 18-07-2025 Heard Mr. Aryan Singh, learned counsel for the

petitioner and Mr. Nazir Ansari, learned Additional Public

Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Paraiya P.S. Case No. 199 of 2024, F.I.R. dated
03.07.2024 for the offences punishable under Sections 341, 323,
328, 302 and 34 of the Indian Penal Code.

3. According to prosecution case, the petitioner
along with other co-accused persons is said to have mixed
poison in the water and gave it to the informant's wife to which
she died. It is further alleged that they locked informant's
daughter and sister-in-law inside the house and assaulted his
children also.

4. Learned counsel for the petitioner submits that



petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that although, the petitioner is named in the FIR, but from a bare perusal of the F.I.R, it appears that the FIR is in two parts, in the first part, there is general and omnibus allegation against all the accused persons including this petitioner and in second part, there is specific allegation that wife of the co-accused, namely, Sanju Yadav has administered poison in the water and gave it to informant's wife due to which she has died. It also appears from the FIR that the date of occurrence as alleged in the FIR is 29.06.2024 but the present FIR has been instituted on 03.07.2024 i.e after the delay of four days without giving any explanation of the delay.

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

6. Considering the aforesaid facts and circumstances, clean antecedent of the petitioner, there is no specific allegation of any assault or overt act attributed against the petitioner rather there is general and omnibus allegation against the petitioner, the specific allegation of administering poison in the water is against the wife of co-accused, namely,



Sanju Yadav, let the petitioner, above named, in the event of his 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 Judicial Magistrate-1st Class, Gaya in connection with Paraiya P.S. Case No. 199 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/482(2) of the B.N.S.S., 2023 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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