

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71710 of 2024

Arising Out of PS. Case No.-294 Year-2024 Thana- GAYA MUFASIL District- Gaya

1. Arvind Kumar @ Arvind Yadav, Son of Ram Dayal Yadav R/o Village- Tapsi, P.S.- Buniyadganj, District- Gaya
2. Santosh Kumar @ Santosh Yadav, Son of Anil Yadav R/o Village- Tapsi, P.S.- Buniyadganj, District- Gaya
3. Brahamdev Yadav, Son of Puna Yadav R/o Village- Tapsi, P.S.- Buniyadganj, District- Gaya
4. Arun Kumar @ Arun Yadav, Son of Brahadev Yadav R/o Village- Tapsi, P.S.- Buniyadganj, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Syed Asgher Najmi- Advocate
For the Opposite Party/s : Ms. Madhuri Lata- A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 3 29-01-2025 1. Heard learned counsel for the petitioners and learned APP for the State.
2. The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 302/34 of the Indian Penal Code.
3. The learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and have been falsely implicated in the instant case by the informant based on suspicion. It is next submitted that informant alleges that on 03.04.2024, his father had gone to the field, but did not return



and later at 7.30 P.M., one woman informed him that his father was lying near a canal. Accordingly, the informant along with others went to the place of occurrence, where he saw the dead body of his father lying with mark of injuries, as such, alleges that the accused persons including the petitioners killed his father by pouring acid.

4. The learned counsel for the petitioners submits that the entire allegation hinges around suspicion. It is next submitted that informant is not an eye witness to the occurrence and there is admitted dispute relating to land between the parties. It is next reiterated and submitted that petitioners are persons with clean antecedent and petitioner no.3 is a senior citizen aged about 67 years. It is also submitted that petitioners will not abscond rather will cooperate in the investigation to prove their innocence.

5. Learned A.P.P. opposes the anticipatory bail application.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners, above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 25,000/-



(Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Gaya in connection with Mufassil P. S. Case No.294 of 2024, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

8. However, it is made clear that in the event, if any application is filed by the Investigating Officer before the learned trial Court bringing to its notice that petitioners, despite giving assurance to this Court, are not cooperating in the investigation or are not presenting themselves as and when required, the learned trial Court shall be at liberty to cancel the bail bonds of the petitioners after recording reasons.

(Satyavrat Verma, J)

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