

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74745 of 2025

Arising Out of PS. Case No.-186 Year-2012 Thana- KONCH District- Gaya

1. Suman Kumar @ Santu Yadav S/O Arjun Prasad R/O Village - Rupaspur, P.S- Konch, District- Gaya.
2. Uday Kumar @ Uday Yadav S/O Ram Vilash Prasad R/O Village - Rupaspur, P.S- Konch, District- Gaya.
3. Saryu Prasad Singh @Saryu Yadav S/O Late Shiv Tahal Yadav R/O Village - Rupaspur, P.S- Konch, District- Gaya.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Rabindra Kumar Priyadarshi, Advocate
For the Opposite Party/s : Mr. Ajay Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 14-11-2025 By filing this application, the petitioners have renewed their prayer for anticipatory bail in connection with Konch P.S. Case No. 186 of 2012 registered for the offences punishable under Sections 341, 323, 307 and 504/34 of the Indian Penal Code.

2. This is the second attempt of the petitioners to seek anticipatory bail on the ground that subsequent to the order of this Court passed on 14.07.2023 in Cr. Misc. No. 28389 of 2023 rejecting the prayer for anticipatory bail of the petitioners, some of the co-accused got the privilege of anticipatory bail from the court of learned 10th Additional Sessions Judge, Gaya in



Anticipatory Bail Petition No. 1579 of 2023 on the ground of compromise with the informant.

3. In the order dated 14.07.2023 in Cr. Misc. No. 28389 of 2023, this Court recorded the reasons for rejection, the petitioners are named in the FIR but it took them ten years in filing of the anticipatory bail application, therefore the Court refused to entertain the same saying that such liberty may set a bad precedent.

4. Now by relying upon the subsequent order dated 27.07.2023, prayer has been made to grant anticipatory bail to the petitioners. I have gone through the order dated 27.07.2023 passed by learned 10th Additional Sessions Judge, Gaya in Anticipatory Bail Petition No. 1579 of 2023. On reading of the order it appears that the prayer for anticipatory bail of some of the petitioners was allowed by the learned court below after considering that the matter has been compromised between the parties. It is stated in the order that the informant was present in the court and said that the case has been compromised.

5. In the considered opinion of this Court, in a case of the present nature where if at all the petitioner has a good case for bail, he should have surrendered before the court below after the rejection of their prayer for anticipatory bail by this Court



and prayed for regular bail where the plea of compromise could have been taken.

6. Having regard to the entire facts and circumstances of the case, this Court grants liberty to the petitioners to surrender in the learned court below within two weeks from today and on their surrender in the court below if the informant appears and supports the factum of compromise, the learned court below shall consider the same and pass an appropriate order on the same day of filing of the application.

7. This application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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