

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22545 of 2025

Arising Out of PS. Case No.-375 Year-2020 Thana- NOORSARAI District- Nalanda

Khayali Yadav @ Khiyali Yadav, S/o Late Shivalak Gop, R/o Village-
Mkanpur, P.S.- Noorsarai, Distt.- Nalanda (Bihar).

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Parties

Appearance :

For the Petitioner/s : Mr. Anirudh Kumar Sinha, Advocate
For the Opposite Party/s : Mr. Navin Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 20-01-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The accused/petitioner is named in the FIR and apprehending his arrest in connection with Noorsarai P.S. Case No.375 of 2020 registered under Sections 302, 201 and 120-B read with 34 of the Indian Penal Code.

3. As per FIR, the informant alleged that the named co-accused called her husband from boring house whereafter, he went missing and subsequently, his dead body was found in next morning from a well.

4. It is submitted by learned counsel appearing for petitioner that the allegation for calling the deceased husband of informant is not available against this petitioner and being



an afterthought out of previous enmity arising out of land dispute, which is pending between the parties since 2007, subsequently, concluding the information *qua* occurrence, informant named 11 co-accused persons including this petitioner. It is pointed out that save and except suspicion nothing survives against this petitioner out of previous enmity.

5. Explaining criminal antecedent, it is submitted that petitioner found involved in three more criminal cases with same informant and her father-in-law, where he is on bail. While concluding argument, it is submitted that similarly situated co-accused namely, Dayanand Yadav, Indrajeet @ Kaloo, Karoo Kumar and Ajit Yadav were granted anticipatory bail by learned co-ordinate Bench of this Court through Cr. Misc. No.43900 of 2022 dated 23.11.2022.

6. Learned APP while opposing the prayer of bail submitted that the petitioner alleged to be involved in occurrence actively. However, he could not disputed the factual submissions that FIR suggesting only suspicion *qua* petitioner.



7. In view of aforesaid factual submissions and by taking note of fact as petitioner implicated only with present occurrence of murder on the basis of suspicion, accordingly, the petitioner, above-named, in the event of his arrest or surrender in the court below within a period of four weeks from today, is directed to be released on bail 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 Chief Judicial Magistrate, Biharsharif, Nalanda in connection with Noorsarai P.S. Case No.375 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure (in short ‘CrPC’)/under Section 482(2) of the Bhartiya Nagrik Suraksha Sanhita, 2023 (in short ‘BNSS’).

(Chandra Shekhar Jha, J.)

Sanjeet/-

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