

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47973 of 2025

Arising Out of PS. Case No.-31 Year-2025 Thana- Sarbahada District- Gaya

1. Pintu Kumar @ Pintu Yadav S/O Late Chandradev Yadav R/O Vill.- Lachu Bigha, P.S.- Sarbahda, Dist.- Gaya.
2. Mantu Kumar @ Mantu Yadav S/O Late Chandradev Yadav R/O Vill.- Lachu Bigha, P.S.- Sarbahda, Dist.- Gaya.
3. Surendra Yadav S/O Late Ramdhani Yadav R/O Vill.- Gyan Bigha, P.S.- Neemchak Bathan, Dist.- Gaya.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Surbhi Nirmal, Advocate
For the Opposite Party/s : Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 21-01-2026 Heard Ms. Surbhi Nirmal, learned counsel for the petitioner and Mr. Bharat Bhushan, learned APP for the State.

2. The petitioners are apprehending arrest in connection with Surabhada P.S. Case No. 31 of 2025 instituted under Section 103 and 3(5) of the Bhartiya Nayay Sanhita, 2023 and section 27 of the Arms Act lodged on 14.3.2025 by the informant, Sangeeta Devi.

3. As per the prosecution story, the lady alleged that while her husband was returning home after meeting his sister, as he was coming on foot, named accused persons with common intention opened fire which led to his immediate death. This



followed the FIR.

4. Learned counsel for the petitioners submit that all the family members have been implicated in the present case, the lady is not an eye-witness to the occurrence.

5. In this case, the coordinate bench had called for the case diary and the post mortem report.

6. As per the post mortem report, six entry wounds are there on the body of the deceased. The petitioners are named and the entry wounds are also multiple, in that background, this Court is not inclined to grant them relief. The anticipatory bail application stands rejected.

7. Having rejected the petition, this Court had an opportunity to go through the para-56 of the case diary, the supervision note of the Dy.S.P. Neemchak Bathani by which he has taken note of the statement of some of the independent witnesses who have stated that Satyendra Yadav and Pintu Yadav were present at the different location but have also been named in the FIR.

8. In that background, the S.P., Gayaji is requested to look into the matter and conduct an enquiry on the implication/innocence of the accused persons named in the FIR as admittedly, as per the supervision note, two of the named



accused persons have been found to be at a different place and as such, the Dy. S.P. wanted more evidences against the said accused.

9. With the aforesaid observation, the anticipatory bail application stands disposed of.

10. Before parting, this Court would like to put on record its word of appreciation for Ms. Surbhi Nirmal, learned counsel for the petitioner for the proper assistance rendered in the matter.

11. Let a copy of this order be sent to the office of Senior Superintendent of Police, Gayaji for his/her perusal/needful.

(Rajiv Roy, J)

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