

IN THE HIGH COURT OF JHARKHAND, RANCHI
A.B.A. No. 5403 of 2025

- 1.** Sanjay Yadav @ Sanjay Prasad Yadav, aged about 42 years, son of Bhairav Prasad Yadav, resident of village – Pandariya, Malda, PO and PS – Gawan, District – Giridih, Jharkhand, 815313
- 2.** Bhairo Yadav @ Bhairo Prasad Yadav, aged about 60 years, son of Jhari Mahto, resident of village – Pandariya, Malda, PO and PS Gawan, District – Giridih, Jharkhand 815313

.... Petitioners

-- Versus --

The State of Jharkhand

.... Opposite Party

CORAM: HON'BLE MR. JUSTICE SANJAY KUMAR DWIVEDI

For the Petitioners :- Mr. Rahul Dev, Advocate

For the State :- Mr. Praful Jojo, Advocate

04/16.09.2025 Heard learned counsel appearing for the petitioners as well as the learned counsel appearing for the State.

2. The petitioners are apprehending their arrest in connection with Gawan P.S. Case No.32 of 2023, for the alleged offences registered under Sections 302/34 of Indian Penal Code pending in the Court of learned Judicial Magistrate 1st Class, Giridih.

3. Learned counsel appearing for the petitioners submits that the petitioners have earlier moved before this Court in ABA No.7979 of 2023 which was dismissed as withdrawn by order dated 10.10.2023. He submits that in the change circumstances fresh ABA has been filed before the learned Sessions Judge and he has been

pleased to reject the same. On this ground, he submits that anticipatory bail may kindly be granted to the petitioner.

4. Learned counsel appearing for the State opposes the prayer and submits that there is no change circumstance to entertain this present anticipatory bail application.

5. It has come in the case diary that after hearing the news the Officer In-charge, Gawan P.S. reached at the brick kiln owned by the petitioners and found two persons in dead condition thereafter the dead body of two persons sent for postmortem and after postmortem report the viscera was preserved and sent to FSL for examination. It appears that the said viscera report has not been on the record which has been recorded in the order of the learned Sessions Judge. The petitioners have withdrawn the ABA No.7979 of 2023 without any liberty and in the change circumstance the present anticipatory bail application has been filed and the learned Sessions Judge has found that there is no change circumstance and even in the course of argument before this Court the counsel for the petitioners has not been able to show the change circumstance. In that view of the matter this anticipatory bail application is hereby dismissed.

(Sanjay Kumar Dwivedi, J.)

Dated 16.09.2025
Sangam/