

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16549 of 2025

Arising Out of PS. Case No.-215 Year-2024 Thana- BHAPTIAHI District- Supaul

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Bijendra @ Vijendra Yadav @ Udis Son of Mukhdev Yadav @ Sukhdev
Yadav village- Prithwipathi Shahpur Ram nagar, PS- Bhaptiyahi, Dist- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Naresh Kumar Mehta, Adv.

For the Opposite Party/s : Mr. Veena Kumari Jaiswal, APP

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 14-05-2025 Heard the learned Advocate for the petitioner and the
learned APP for the State.

2. The petitioner apprehends his arrest in connection
with Bhaptiyahi P.S. Case No. 215 of 2024, registered for the
offences punishable under Sections 140(3), 103(1), 238, 61(2)
and 3(5) of the B.N.S.

3. Based upon the written report, it is alleged that the
son of the informant had gone to the village Dahupatti for doing
some work. However, he did not return on that day. When the
informant tried to call on his mobile, his phone also found
switched off. Despite the intensive search, his trace out could
not be found. The informant suspected the hands of her
daughter-in-law, who had been talking with co-accused Sanjay
Ram for last one year.



4. Learned Advocate for the petitioner contended that the entire case rest upon suspicion and save and except suspicion, there is no material. During the course of investigation, the daughter-in-law of the informant was apprehended and her statement was recorded, wherein, she has disclosed the complicity of co-accused Sanjay Ram that this petitioner in causing the death of the deceased and later on, his body was thrown in a canal from where recovery has been made. Based upon confessional statement, co-accused Sanjay Ram was also apprehended and he has also confessed his guilt and stated about the complicity of the petitioner in crime. It is the contention of the learned Advocate for the petitioner that the confessional statement before the police had no evidentiary value; moreover, the petitioner bears fair antecedent and he undertakes before this Court that he will fully co-operate in the proceeding of the Court.

5. On the other hand, learned counsel for the State opposed the pre-arrest bail application and submits that sufficient materials have been collected during the course of investigation, which suggest the complicity of the petitioner in crime.

6. Regard being had to the submissions made on



behalf of the parties and considering the confessional statement of the wife of the deceased along with the statement of Sanjay Ram, this Court is not acceded to the prayer for anticipatory bail of the petitioner.

7. Accordingly, the present bail application stands dismissed.

8. However, if the petitioner surrenders before the Court, preferably within a period of four weeks, the application for prayer of the petitioner shall be considered without being prejudice by the order of this Court.

(Harish Kumar, J)

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