

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25030 of 2025

Arising Out of PS. Case No.-321 Year-2024 Thana- MURLIGANJ District- Madhepura

Ashish Kumar @ Ashish Kr. Yadav Son of Kapildev Yadav R/o village -
Raghunathpur, P.S.- Murliganj, District - Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pawan Kumar, Advocate

For the Opposite Party/s : Mr. Pramod Kumar Pandey, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 3 23-07-2025 1. Heard learned counsel for the petitioner, learned A.P.P.
for the State and learned counsel appearing on behalf of the
informant.
2. The petitioner apprehends his arrest in a case registered
for the offences punishable under Sections 118(1), 109, 61(2) and
3(5) of the BNS.
3. Learned counsel for the petitioner submits that
petitioner has antecedent of one case and the informant alleges that
his brother Ankesh Kumar runs a shop of construction material.
Further, petitioner took some construction materials from the shop of
the brother of the informant for an amount of Rs.10 lakhs on credit. It
is next alleged that whenever informant's brother demanded the
amount, the petitioner refused to pay and threatened to kill, in the
meantime, petitioner was arrested in connection with Kumarkhand
P.S. Case No. 123 of 2024. It is next alleged that on 01.07.2024, at
about 09:30 a.m., the brother of the informant was sitting in his shop



when on a white colour motorcycle three persons came and started asking the rate of construction material, in the meantime, two of the accused fired causing injury on head and chest of Ankesh Kumar and he fell down and thereafter the miscreants fled away disclosing that the contract for killing was given by the petitioner. Thereafter people gathered and the brother of the informant was taken to the Primary Health Centre, Murliganj for treatment from where he was referred to Madhepura where the statement of the brother of the informant was recorded in a pen drive.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is further submitted that petitioner is not named in the FIR and he came to be implicated in the instant case based on confessional statement of Aman Kumar who is nephew of Ravindra Yadav. It is next submitted that Ravindra Yadav had moved this Court seeking anticipatory bail by filing Cr. Misc. No. 18865 of 2025 and the same was allowed by this Court vide order dated 23.07.2025. It is also submitted that the case of the petitioner is on a better footing and the petitioner will also cooperate in the investigation to prove his innocence.

5. Learned A.P.P. for the State and learned counsel appearing on behalf of the informant vehemently opposed the prayer for anticipatory bail of the petitioner.

6. Considering the submissions made by the learned



counsel for the petitioner, let the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.25,000/- (Rupees Twenty-five Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/Successor Court in connection with Murliganj P.S. Case No. 321 of 2024, subject to the conditions as laid down under Section 482(2) of the BNSS.

7. One of the bailors of the petitioner shall be his father, namely, Kapildev Yadav.

8. However, if the investigating officer of the case files an application before the learned trial court bringing to its notice that the petitioner despite giving assurance to this Court is not cooperating in the investigation, the learned trial court shall be at liberty to cancel the bail bonds of the petitioner.

9. It is made clear that if charge-sheet is submitted connecting the petitioner with the offence in that event the anticipatory bail order shall lose its effect.

(Satyavrat Verma, J)

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