

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35055 of 2025

Arising Out of PS. Case No.-21 Year-2025 Thana- KUSHESHWARASTHAN District-
Darbhanga

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Ganga Yadav @ Ganga Prasad Yadav S/o Late Bowain Yadav @ Bowsan
Yadav Resident of villag- Bahera, Kusheshwar Asthan Purbi, P.S.-
Kusheshwar Asthan, Distt- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Rajnish Kumar Singh, Advocate
For the Opposite Party/s	:	Mr. Choubey Jawahar, APP
For the Informant	:	Mr. Nilendu Kumar Choudhary, Advocate

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 26-09-2025 Heard Mr. Rajnish Kumar Singh, learned counsel for the

petitioner and Mr. Choubey Jawahar, learned A.P.P. for the State

as also Mr. Nilendu Kumar Choudhary, learned counsel for the

informant.

2. The petitioner apprehends his arrest in connection

with Kusheshwar Asthan P.S. Case No. 21 of 2025 registered for

the offences punishable under Section 103 & 3(5) of the

Bharatiya Nyaya Sanhita, 2023 and Section 27 of the Arms Act.

3. The informant's elder brother, a teacher at Utkramit

High School, was shot dead after leaving for school. The

deceased had ongoing disputes with Headmaster Ram Chandra

Paswan, including a recent altercation over indecent remarks



towards a female teacher, and had expressed fear of being killed. The informant suspects the Headmaster, along with adversaries Ganga Prasad Yadav (petitioner), Shivdhari, and Pappu Yadav, of conspiring in the crime.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case. Petitioner bears four criminal antecedents. Learned counsel for the petitioner submits that except suspicion, there is no material against the petitioner. It is submitted that even the CDR report also not confirms about the connectivity of one accused to another accused.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. Petitioner is named in the FIR and other co-accused in their confessional statement have confessed about their involvement in this case, including the petitioner.

6. Considering the rival submissions made by the learned counsel for the parties, this Court does not deem it fit case for grant of anticipatory bail. Prayer of anticipatory bail is *rejected*.

7. However, if the petitioner surrenders before the



court below within a period of four weeks from today and prays
for regular bail, the same would be considered by the court
below in accordance with law without being prejudiced by the
order of this Court.

(Rudra Prakash Mishra, J)

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