

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37077 of 2025

Arising Out of PS. Case No.-10 Year-2025 Thana- MADANPUR District- Aurangabad

Kamlendra Yadav @ Kavindra Yadav Son of Ramraj Yadav Resident of
Village- Kusaha, P.S.- Madanpur, District- Aurangabad, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Lalbahadur Singh, Adv.

For the Opposite Party/s : Mr. Anand Kishore Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 25-06-2025 Heard Mr. Lalbahadur Singh, learned counsel for
the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest in connection with Madanpur P.S. Case No. 10 of 2025 dated 12.01.2025 registered under Sections 103(1), 3(5) of the BNSS, 2023.

3. As per the prosecution case, the informant's brother, namely, Manjay Kumar Singh was a conductor of Jai Maa Gauri Bus. At about 9.20 AM on 12.01.2025, the informant came to see his brother at village Kushaha Mor where he saw the accused persons, namely, Akash Kumar, Rakesh Kumar, Kamlendra Yadav (petitioner herein) and Dinesh Yadav were present there who tried to stop the bus, upon which, the informant's brother told them that since there is no any passenger here and we have to go a long way, we cannot stay



here for long. This enraged the accused persons who pulled out the informant's brother by his collar in front of the driver of the bus and thrashed his head against the bus resulting which he sustained severe injuries and became unconscious. Even after that, the accused persons assaulted him brutally with fists and legs and lastly, pouncing upon his chest, pressed his neck. Thereafter, all the four accused persons fled away. When the informant brought his brother to Sadar Hospital, Aurangabad, the doctor declared him to be dead.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case on account of local enmity and political rivalry and there is a case and counter case between the parties inasmuch as Madanpur PS Case No.22 of 2025. The petitioner has got no criminal antecedent.

5. On the other hand, the learned State counsel opposes the prayer submitting that in a broad day light an innocent person was murdered for performing his duty honestly as bus conductor who denied to stop the bus for long. The impugned order also goes to show that in para-17 of the case diary, re-statement of the informant and para-18, 19, statement of the Bus driver, Shailesh Dubey and other witnesses have been recorded wherein they have stated that the petitioner was



involved in committing the murder of the informant's brother. Postmortem report also supports the factum of death being head injury by blunt object leading to hemorrhagic cardiogenic shock leading the CR failure and hence death. As such, the petitioner does not deserve the privilege of anticipatory bail.

6. Regard being had to the submissions made by the parties, taking into consideration seriousness of the offence, the observation made in the impugned order as also postmortem report, I am not inclined to grant the privilege of anticipatory bail to the petitioner.

7. Accordingly, the present petition for anticipatory bail stands rejected.

(Anil Kumar Sinha, J)

perwez

U			
---	--	--	--

