

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48862 of 2025

Arising Out of PS. Case No.-44 Year-2025 Thana- Mufassil District- Khagaria

1. Soshan Yadav @ Soshan Kumar @ Sojhan Yadav R/O Kishnandan Yadav Resident of Chamman Tola, Police Station- Sahebpur Kamal, District- Begusarai
2. Pandav Yadav S/O Late Lakshmi Yadav Resident of Chamman Tola, Police Station- Sahebpur Kamal, District- Begusarai

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr. Sarvottam Kumar, Advocate
For the State	:	Mr. Satyendra Narayan Singh, APP
For the Informant	:	Mr. Mukesh Kumar, Advocate
		Mr. Ramesh Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 17-11-2025 Heard Mr. Sarvottam Kumar, learned Advocate for the petitioners and Mr. Satyendra Narayan Singh, learned Additional Public Prosecutor for the State as well as Mr. Mukesh Kumar, learned Advocate for the informant.

2. The petitioners apprehend their arrest in connection with Mufassil P.S. Case No. 44 of 2025, registered for the offences punishable under Sections 103(1), 3(5) of the Bhartiya Nyaya Sanhita 2023.

3. Based upon the written report, the prosecution alleges that on the fateful day, while the grandson of the informant was playing on the road at his *Nanihal*, in the meanwhile, all the FIR named accused persons including the



petitioners brutally assaulted him which led to his death.

4. Learned Advocate for the petitioners submitted that admittedly the informant is not an eye-witness to the alleged occurrence, however, only on suspicion the name of the petitioners have been implicated in this case. The further statement of the informant has also been recorded, wherein he has only stated that it was Pandav Yadav and others who have killed his grandson. This also falsifies the entire prosecution case against the others. It is further submitted that prior to the institution of this case one Krishnanadan Yadav has instituted Mufassil P.S. Case No.72 of 2025, wherein the father of the deceased child along with others were accused.

5. On the other hand, learned Advocate for the informant placed an order of the coordinate Bench of this Court dated 04.11.2025 passed in Cr. Misc. No. 46171 of 2025, wherein the prayer for anticipatory bail of other co-accused persons have been turned down.

6. Having considered the submissions advanced by the learned Advocates for the respective parties and taking note of the fact that the prayer for anticipatory bail of other co-accused persons, with the similar allegation, stood rejected by a coordinate Bench of this Court, this Court is not inclined to



accept the prayer of the petitioners.

7. Accordingly, the present application also stands rejected.

8. Suffice it to observe that if the petitioners surrender before the court below preferably within a period of four weeks from today, the jurisdictional court shall consider the prayer of bail of the petitioners without being prejudiced by the order of this Court and considering the submissions aforementioned.

(Harish Kumar, J)

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