

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62467 of 2025

Arising Out of PS. Case No.-18 Year-2024 Thana- PAKRIDAYAL District- East Champaran

Arvind Kumar @ Arvind Yadav S/o Chhedari Rai @ Chhathari Ray R/o
Village - Sundarpatti, P.S - Pakaridayal, District- East Champaran at Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashank Shekhar, Advocate

For the Opposite Party/s : Mrs. Asha Devi, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 12-09-2025 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 302, 201, 202 and 120(B) of the I.P.C.

3. The F.I.R. has been lodged by a Sub-Inspector of Police on 17.01.2024, making reference to a UD Case No. 02 of 2023 dated 05.01.2023 lodged by Mahal Chowkidar with respect to the death of one Munni Kumari. It has been alleged during the course of the investigation the informant found that the parties had compromised with each other and did not raise any allegation. From perusal of the postmortem report, it is indicated that the reason of death was asphyxia due to strangulation. On such grounds it has been stated that other co-



accused persons along with the petitioner – Arvind Yadav, the husband of the deceased, who was staying outside for his occupation, committed the murder of the deceased.

4. Learned counsel for the petitioner submits that it would be evident from the F.I.R. itself, which also encloses the U.D. Case No. 02 of 2023 dated 05.01.2023, that the present F.I.R. has been lodged by the Sub-Inspector of Police after a lapse of more than one year on the grounds indicated therein, whereas the U.D. case was lodged much earlier and despite a lapse of more than one year, no family member of the deceased lodged any case against the petitioner, who is the husband of the deceased, or any of his family members. It is also submitted that the deceased had died due to hanging and it is not a case of homicide. It has also been submitted that the F.I.R. itself would reveal that the present petitioner on the date of occurrence was staying out of the state for the purpose of his livelihood, which would be confirmed from the U.D. case, as he was not even there when the dead body was taken for cremation.

5. Learned APP for the State, however, opposes the prayer for anticipatory bail.

6. Taking into consideration the facts and circumstances of the case and also considering that the present F.I.R has come



to be registered after a lapse of more than an year and that too not by any of the family members of the deceased and also considering that the petitioner was not present on the date of occurrence, let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Pakridayal P.S. Case No. 18 of 2024, subject to the condition as laid down under Section 438 (2) of the Cr.P.C/ 482 (2) of the BNSS, 2023.

(Soni Shrivastava, J)

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