

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65066 of 2025

Arising Out of PS. Case No.-338 Year-2019 Thana- KHAIRA District- Jamui

Bhuneshwar Yadav S/o Gobardhan Yadav R/o Village - Karkatti, P.S - Garhi,
District - Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 17-09-2025 Heard learned counsel for the petitioner and the State.

2. Petitioner apprehends arrest in a case registered for the offences punishable under Sections 302/34 of the Indian Penal Code and Section 3/4 of the Prevention of Witch (*Daain*) Practices Act to which Sections 147, 149, 341, 323, 364, 427, 448, 504, 120B of the Indian Penal Code were added later on.

3. Prosecution case, in brief, is that on 21.11.2019 when informant was in Lakhisarai Shivsona, at about 6 PM, his wife called him and informed that the F.I.R. named accused persons, including this petitioner, entered their house, called her *daain* and assaulted her and the parents of informant. It is further alleged that the parents of informant hid somewhere to save their lives and on 13.11.2019, dead body of the mother of informant was found beside the Kurwatand river. Informant



suspects that this petitioner, who is an informer, killed his mother and threw dead body in the river in order to disappear the evidence.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. Informant is not an eye witness of the occurrence. Allegation of assault is general and omnibus and there is no specific allegation of overt act against petitioner. Petitioner has been made accused in this case only on suspicion. Police after investigation submitted final form, differing with the same learned court below has taken cognizance against petitioner *vide* Annexure-2. Petitioner claims clean antecedent.

5. Learned A.P.P. for the State vehemently opposed the bail application.

6. Considering aforesaid facts and circumstances of the case, this anticipatory bail is allowed and it is ordered that let the above named petitioner in the event of his arrest/surrender before the court below within a period of eight weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Jamui in connection with Khaira P. S. Case No. 338 of 2019,



subject to condition as laid down under Section 482(2) of the
Bharatiya Nagarik Suraksha Sanhita, 2023.

(Prabhat Kumar Singh, J)

Navya/-

U		T	
---	--	---	--

