

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70987 of 2025

Arising Out of PS. Case No.-95 Year-2025 Thana- Nawalpur District- West Champaran

Yashwant Yadav @ Yashwant Kumar @ Yashwant Kumar Yadav Son of
Dhurendra Yadav Resident of village - Nawalpur, Ward No.- 9, P.S.-
Nawalpur, District - West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sujeet Kumar

For the Opposite Party/s : Mr.Nirmal Kumar Sinha

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 10-12-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offence under Sections 103 and 3(5) of the Bhartiya Nyaya Sanhita, 2023.

3. The informant alleges that on 14.06.2025, at around 09:00 a.m., his younger brother Raushan Pathak was intercepted by the FIR named accused persons including the petitioner near the house of Doodnath Yadav and they demanded money and upon refusal, the accused became enraged and abused and assaulted him on account of which Raushan Pathak suffered injuries and died. Further, after killing the brother of the informant, the accused persons hanged his body from a litchi tree in a nearby orchard.



4. Learned counsel for the petitioner submits that from bare perusal of the F.I.R., it is apparent that informant is not an eye-witness to the occurrence. F.I.R. does not disclose as to how the informant came to know that they were these accused persons, who were instrumental in committing the occurrence. He further submits that post-mortem does not record that the deceased suffered any external injury except the ligature mark, which was found on the neck. Thus, F.I.R. stands contradicted and falsified by the post-mortem report. As a matter of fact, the deceased was a drunkard and used to fight with his family members and at one point of time had stabbed his own brother, who is informant of the present case, for which Yogapatti (Nawalpur) P.S. Case No. 361 of 2021 was instituted by the instant informant against the deceased. Petitioner claims clean antecedent.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. In the facts & circumstances of the case, let the above named petitioner, in the event of arrest/surrender 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 learned



Judicial Magistrate, Bettiah, District – West Champaran in connection with Nawalpur P.S. Case No. 95 of 2025, subject to condition as laid down under Section 482 of the Bhartiya Nagrik Suraksha Sanhita, 2023.

(Prabhat Kumar Singh, J)

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