

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.67772 of 2025**

Arising Out of PS. Case No.-106 Year-2024 Thana- BANGAWON District- Saharsa

Hariom Yadav @ Hariom Kumar Yadav @ Hariom Kumar S/O Bechan Yadav  
R/O Dumma, Ward No.- 7, Ukahi, P.S.- Saharsa Sadar, District- Saharsa  
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Rajnish Kumar Singh, Advocate  
For the Opposite Party/s : Mr. Ajay Kumar Jha, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

2      08-10-2025                      1. 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 offences punishable under Sections 103(1),  
61(2), 54 and 351(3) of the BNS as well as Section 27 of the  
Arms Act.

3. Learned counsel for the petitioner submits that  
petitioner is a person with clean antecedent and the informant  
alleges that on 16.08.2024, at 02:40 p.m., a person came and  
asked his father to accompany him, the accused was seen by his  
grandmother, accordingly, his father after sometime went on his  
own car to the shop of Mukesh Thakur for shaving at 03:30  
p.m., when 3-4 unknown accused came and shot his father dead.  
It is further alleged that in the murder, seven named accused  
were involved, namely, Santosh Gupta, Naresh Gupta, Roshan



Kumar Gupta, Ranjeet Khan, Anil Yadav, Dinesh Yadav and Aashish Kumar. It is next alleged that the father of the informant earlier had instituted Sanha against Santosh Gupta, Naresh Gupta, Aashish Kumar, Anil Yadav and Dinesh Yadav on 04.08.2024 and 08.08.2024. It is also alleged that the father of the informant intended to purchase a land and the accused had threatened him not to purchase the land.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case during the course of investigation. It is further submitted that petitioner is not named in the FIR and the informant has not even raised any suspicion against the petitioner in the occurrence but during the course of investigation, his name transpired in the confessional statement of Balkishan Kumar. It is next submitted that any statement made before the police in custody does not have any evidentiary value in the eye of law.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submits that no doubt, the petitioner is not named in the FIR but then his name transpired during the course of investigation. It is further submitted that even the weapon of murder was recovered from the house of the petitioner on which learned counsel appearing on behalf of the



petitioner submits that petitioner was completely unaware that how the arms reached his house on which learned A.P.P. submits that the same is an aspect of the investigation and the investigation is continuing.

6. Considering the submissions made by the learned A.P.P. for the State, the Court is not inclined to extend the privilege of anticipatory bail to the petitioner in connection with Sessions Trial No. 53 of 2025 arising out of Bangaon P.S. Case No. 106 of 2024 pending in the Court of learned Additional District and Sessions Judge-II, Saharsa/Successor Court.

7. Hence, the prayer for anticipatory bail is rejected.

**(Satyavrat Verma, J)**

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