

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71611 of 2025

Arising Out of PS. Case No.-138 Year-2025 Thana- DURAULI District- Siwan

Bayash Yadav @ Byas Kumar Yadav Son of Hareram Yadav Resident of vill-
Gothi, PS-Andar Dist- Siwan

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Yogesh Chandra Verma, Sr. Advocate Ms. Kumari Anupam, Advocate
For the State	:	Mr. Upendra Kumar, APP
For the Informant	:	Mr. Krishna Kant Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 09-10-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The present petition has been filed on behalf of the petitioner, apprehending his arrest, in connection with Darauli PS. Case No.138 of 2025 dated-28.05.2025, registered for the offences punishable under Sections 108, 3(5) of the B.N.S., 2023.

3. As per allegation, the dead body of the husband of the Informant was found in an open field. As per further case of the prosecution, the deceased had given Rs.10,00,000/- to the Petitioner and Rs. 22,00,000/- to the co-accused, Praveen Singh, and on account of non payment of this amount by the accused persons, the deceased was suffering economic hardship and



hence he committed suicide by consuming some poisonous substance.

4. Learned counsel for the petitioner submits that the Petitioner is innocent and has falsely been implicated in this case. He further submits that even as per the FIR it is not a case of any abetment because for abetment of suicide, there is requirement of aiding, instigating or conspiring by of the accused persons, but in this case, there is no allegation of any of such ingredients of abetment of suicide, and hence, no offence, as alleged, is made out under Section 108 B.N.S.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the petition that the petitioner has been made accused in five other cases.

7. However, learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the fact that admittedly as per the informant herself, the Petitioner had abetted suicide and there is no *prima facie* case of any aiding, abetting or conspiracy by the Petitioner and other co-accused to abet suicide, **this petition is**



allowed, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned concerned Court below, in connection with Darauli PS. Case No.138 of 2025, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S., 2023 and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has criminal antecedents other than the disclosed one, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J.)

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