

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5449 of 2026

Arising Out of PS. Case No.-153 Year-2024 Thana- Madhusudanpur District- Bhagalpur

Rupesh Kumar Son of Sulo Yadav Resident Of Village - Nayatola, Mirzapur,
Ward No. 9, P.S. - Madhusudanpur, Dist. - Bhagalpur. Resident Of Village -
Nayatola, Mirzapur, Ward No. 9, P.S. - Madhusudanpur, Dist. - Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nitish Kumar Son of Late Anil Yadav Resident Of Village - Bhawanipur,
P.S. - Rangra, Dist. - Bhagalpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kamlesh Kumar Pathak, Advocate
For the Opposite Party/s : Mr. Anish Chandra, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

3 19-03-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The instant application for anticipatory bail has
been filed by the petitioner apprehending his arrest in
connection with Madhusudanpur P.S Case No. 153 of 2024
instituted for the offence punishable under Sections 80, 238,
3(5) of the B.N.S

3. As per prosecution case, petitioner along with his
family members have administered poison to the deceased.

4. Learned counsel for the petitioner submits that
petitioner has got no criminal antecedent as stated in paragraph
no. 3 of the bail petition. It is further submitted that there is



general and omnibus allegation against the petitioner and other co-accused persons.

5. Learned APP appearing for the State has opposed the prayer for bail of the petitioner.

6. From perusal of the F.I.R., impugned order and case diary, it appears that deceased is the wife of the present petitioner and death of the deceased happened within six years of marriage. It also appears that dead body of the deceased is not recovered and without the consent and information of the other party dead body is cremated and it is a allegation of administering poison to the deceased by the petitioner along with co-accused.

7. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, I am not inclined to grant anticipatory bail to the petitioner.

8. Accordingly, prayer for anticipatory bail of the petitioner is hereby rejected.

(Ramesh Chand Malviya, J)

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