

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20549 of 2026

Arising Out of PS. Case No.-23 Year-2024 Thana- Pastpar Pusthi District- Saharsa

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1. B.P. Yadav S/o Kartik Yadav R/o vill - Jalaiya, ward no. 1, P.S.- Pastpar, Distt.- Saharsa
 2. Kartik Yadav S/o Late Bhola Yadav R/o vill - Jalaiya, ward no. 1, P.S.- Pastpar, Distt.- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Randhir Kumar No 1, Advocate
For the Opposite Party/s	:	Mr. Ram Naresh Ray, A.P.P.
For the Informant	:	Mr. Raja Surendra Mohan, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 05-05-2026 Learned counsel for the petitioners seeks permission to withdraw this anticipatory bail application with regard to petitioner no. 2.

2. Permission is granted.

3. This anticipatory bail application with regard to petitioner no. 2 is, accordingly, dismissed as withdrawn.

4. Heard learned counsel for the petitioners, informant and the State.

5. Petitioner no. 1 apprehends arrest in Pastpar P. S. Case No. 23 of 2024 registered for the offences punishable under Sections 126(2), 115(2), 118(2), 303(2), 109, 333, 352, 351(3), 3(5) of the Bharatiya Nyaya Sanhita to which Section



103(1) BNS was added later on.

6. As per the prosecution story, the informant alleged that on 05.09.2024, all the F.I.R. named accused persons, including the petitioner, armed variously, forced themselves in the house of the informant and on the order of co-accused Kailash, this petitioner along with other accused persons assaulted informant and his family members by butt of pistol. During course of occurrence, co-accused persons looted cash, jewellery and other documents from the house of informant. Further omnibus allegation is against other accused persons of assaulting the family members who all became unconscious and were shifted to Primary Health Centre, Patarghat and then to Saharsa/Madhepura. During the course of the treatment, the father of the informant, namely Maheshwar Yadav died.

7. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. Bare perusal of the F.I.R. would show that specific accusation of assault is against co-accused Kailash Yadav, Digambar, Satyam and Murari Yadav. Allegation against petitioner is general and omnibus. No looted articles have been recovered from possession of the petitioner and police have not found the case to be true under Section 303(2) BNS.



8. Learned A.P.P. for the State as well as learned counsel for the informant vehemently opposed the bail application and submitted that petitioner is named in the F.I.R. with specific accusation that he along with others assaulted informant and his family members and looted cash and jewellery from the his house. Petitioner has got three criminal antecedents.

9. Considering the nature of accusation and criminal antecedents, prayer for anticipatory bail of the petitioner no. 1 is refused.

(Prabhat Kumar Singh, J)

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