

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23777 of 2026

Arising Out of PS. Case No.-103 Year-2025 Thana- BUXAR RAIL P.S. District- Bhojpur

Praveen Yadav @ Jhappu Yadav @ Praveen Kumar Yadav @ Jhappu Yadav
Son of Bansh Narayan Singh @ Bansh Narayan Yadav R/o Village -
Madaipur, P.S.- Itarhi, District - Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Dimpal Kumari, Advocate

For the Opposite Party/s : Mr. Akshay Lal Pandit, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

5 27-07-2026 Heard Mrs. Dimpal Kumari, learned counsel for the
petitioner and Mr. Akshay Lal Pandit, learned APP.

2. The petitioner is apprehending his arrest in connection with Buxar Rail P.S. Case No. 103 of 2025 for the offence under sections 61(2), 103(1) and 3(5) of the BNS lodged on 16.05.2025 by the informant, Sarita Kumari Singh.

3. As per the prosecution story, the informant alleged that Devendra Yadav, Arbind Yadav, Jhapu Yadav and Birbal Yadav took her husband to drive the vehicle, and thereafter, he went alongwith Devendra Yadav on the motorcycle. Later, in the evening, she wanted to talk to her husband but Devendra Yadav informed that he will make conversation in the morning.

4. On 15.04.2025, she got the information about his



killing and the body was kept in the *postmortem* house. The body was recovered from the railway track. This led to the FIR on 16.05.2025.

5. Learned counsel for the petitioner submits that admittedly, the dead body was recovered on 15.04.2025 but the FIR has been lodged, a month later, on 16.05.2025 and no reason whatsoever has been given for such delay.

6. In this case, the case diary and the *postmortem* report was called for and learned counsel for the petitioner has drawn attention of this Court to paragraph-175 which records the statement of Devendra Yadav, the accused who took away the deceased. According to him, the deceased took Rs. 500/- to purchase liquor and later, consumed it. Later in the morning, they moved on a motorcycle at around 5 o'clock and he reached his in-laws house.

7. Again, liquor was purchased and consumed by both of them. Around 7 o'clock, he was dropped at his in-laws house where he stayed and in the evening, was having conversation with his wife and they were both making allegation against each other. He also informed his father-in-law to ask his daughter to pick up the phone or else, he will kill himself. Later, the accused wanted to talk to him, in the morning, but his phone was



switched off. His wife also scolded Devendra as to why her husband was allowed to consume liquor and in case anything happens to him, they will be implicated.

8. The submission is that the presence of the deceased at the house of his in-laws has not been denied.

9. Learned APP opposes the prayer submitting that the accused persons conspired and led to the killing.

10. The facts are on record, the petitioner do not have any criminal antecedent, he is not among the list of accused who took away the deceased, investigation is on and an undertaking has been given that he shall be assisting in it, in that background, this Court is inclined to extend him the privilege of anticipatory bail with conditions.

11. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Railway ACJM, Ara, Bhojpur in connection with Buxar Rail P.S. Case No. 103 of 2025 subject to the following conditions:

(i) one of the bailors should be the family member/relative of the petitioner who shall provide official



document (Aadhaar Card/Voter ID Card/Pan Card/Driving License) to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall be appearing before the Police Station as and when required for cooperating in the investigation;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

Adnan/-

U		T	
---	--	---	--

