

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33648 of 2026

Arising Out of PS. Case No.-456 Year-2025 Thana- TURKAULIYA District- East
Champaran

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Jagesh Prasad Yadav, S/o Vira Rai @ Bira Ray, Resident of Village -
Jagiraha, P.S. - Turkauliya, Distt. - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sitesh Kashyap, Adv.

For the Opposite Party/s : Mr. Ashok Kumar Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY

ORAL ORDER

2 19-05-2026 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State through *virtual mode*.

2. The petitioner is apprehending his/her arrest in
connection with Turkauliya P.S. Case No. 456 of 2025
registered for the offence(s) under Section(s) 103(1), 123 and
61(2) of the Bharatiya Nyaya Sanhita, 2023 (B.N.S.).

3. As per the prosecution case, the informant gave a
written application stating that his sister, namely, Musmat
Bikhani Devi (the deceased) was murdered by all the accused



persons forcibly by administering poison. It has been alleged that when the informant reached the place of occurrence, he saw that his sister was lying dead and, thereafter, the Police was called on and the *post-mortem* was conducted.

4. The learned counsel for the petitioner submits that the petitioner is not named in the F.I.R. and his name has been transpired during the course of investigation, wherein, it was found that the petitioner was a witness to a sale-deed, said to be executed by the son of the deceased. It has been submitted on behalf of the petitioner that it is on account of the fact that the son of the deceased had executed the sale-deed and the said Musmat Bikhani Devi had committed suicide for which, the petitioner cannot be held to be responsible. It has further been submitted that the petitioner merely stood as a witness to the sale-deed and he was neither the land holder nor the person who had got the sale-deed in his favour and, therefore, nothing can be alleged against him and no offence is made out against the petitioner, who was also not named by the informant initially. It has lastly been submitted that the petitioner has clean antecedent.

5. The learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the



petitioner.

6. Considering the facts and circumstances of the case and the submissions advanced on behalf of the parties, let the petitioner, above-named, be released on anticipatory bail, in the event of his/her arrest or surrender before the concerned Court/successor Court within a period of four weeks from today, on his/her furnishing bail bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the concerned Court/successor Court where the case is pending in connection with Turkauliya P.S. Case No. 456 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 read with corresponding Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 (B.N.S.S.) as well as subject to the following conditions :

(i) One of the bailors of the petitioner shall be his/her close relative and the other shall be a local resident.

(ii) The petitioner shall remain physically present before the concerned Court on each and every date of the trial and shall cooperate in the investigation.

(iii) In case of absence for two consecutive occasions or in violation of the terms of the bail, the bail bonds of the petitioner will be liable to be cancelled by the concerned Court.

(iv) The concerned Court shall verify the criminal



antecedent of the petitioner and in case, at any stage, it is found that he/she has concealed his/her criminal antecedents, the Court concerned shall take necessary steps for cancellation of his/her bail bond. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

7. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

8. The application stands allowed.

(Sourendra Pandey, J)

Praveen-II/Tannu

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