

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32183 of 2026

Arising Out of PS. Case No.-10 Year-2026 Thana- MADHEPURA District- Madhepura

Balkaran Kumar Yadav @ Bijay Kumar @ Balkaran Son of Birendra Prasad
Yadav @ Birendra Yadav Resident of Village- Gadhiya, P.S. and District-
Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar, Advocate

For the Opposite Party/s : Mr. Satyendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

3 13-05-2026 Heard the learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Madhepura P.S. Case No.10 of 2026, F.I.R dated 04.01.2026 registered for the offences punishable under Sections 103(1) and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. According to prosecution case, on 31.12.2025 at about 10:00 P.M., some persons allegedly damaged the fence of the informant's house. Thereafter, on 04.01.2026 at about 1:30 P.M., when the informant's father went to complain about the incident, the petitioner and other accused persons allegedly



assaulted him with bats, sticks, bricks and other weapons. It is further alleged that co-accused Rajesh Kumar fired at the informant's wife, causing a gunshot injury to her chest, due to which she later died during treatment at Sadar Hospital, Madhepura.

4. Learned counsel for the petitioner, by referring to the allegations made in the F.I.R., submits that the allegation of having inflicted fire-arm injury and causing death of the informant's wife is against Rajesh Kumar while, against this petitioner, there is nothing specific rather the allegations are general and omnibus in nature. Lastly, it has been submitted that the petitioner has no criminal antecedent.

5. Learned APP for the State opposes the prayer for anticipatory bail application and referring to the allegations made in the F.I.R., does not dispute the factual position.

6. Considering the aforesaid facts and circumstances that the allegation of causing death of the informant's wife is against Rajesh Kumar while, against this petitioner, there is nothing specific rather the allegations are general and omnibus in nature and the petitioner has no criminal antecedent. Accordingly, this Court is inclined to grant the privilege of anticipatory bail to the petitioner.



7. Let the petitioner, above named, in the event of his/her arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Madhepura, in connection with Madhepura P.S. Case No.10 of 2026, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

(i) one of the bailors should be the family member/relative/known of the petitioner(s) who shall provide official document/personal affidavit to show his/her bona fide;

(ii) the petitioner(s) 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/her/their bail bond by the Trial Court itself;

(iii) the petitioner(s) 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;



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

(Ajit Kumar, J)

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