

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37922 of 2026

Arising Out of PS. Case No.-1367 Year-2025 Thana- AHIYAPUR District- Muzaffarpur

Ravi Kumar Yadav@ Balendra Kumar @ Ravi Kumar S/O Sharif Rai R/O
Vill.- Sadha Dambar, P.S- Motipur, Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Ranjan

For the Opposite Party/s : Mr.Chandra Sen Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 30-06-2026 1. Heard learned counsel for the petitioner, Sri
Sanjeev Ranjan and learned A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Ahiyapur P.S. Case No. 1367 of 2025 registered for the
offences punishable under Sections 103(1) and 3(5) of the
Bharatiya Nyaya Sanhita.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and the informant
alleges that about five months back, his minor son aged about 8
years was admitted in Gyan Ganga Hostel, Muzaffarpur, the
Hostel was being run by the petitioner, further the petitioner
called the informant on 22-9-2025 at 4 pm and informed that his
son was unwell, accordingly the informant reached the Hostel
on 23-9-2025 in the morning and saw that his son had visible



mark of injuries on his face and his health condition had deteriorated, next alleges that he asked his son that how the injury happened, on which the victim disclosed that sir assaulted him few days back and said that if he will disclose about the occurrence to his family members, he will again be assaulted, thereafter the victim started vomiting, hence the informant brought his son to a private hospital for treatment, but when his condition deteriorated, he was brought to SKMCH on 27-9-2025 and his son during course of treatment died on 4-10-2025.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is next submitted that from perusal of the allegations as alleged in the FIR, it would manifest that the informant alleges that it was petitioner who had called and disclosed to the informant that his son was unwell. It is thus submitted that had the petitioner assaulted the child and the child would have suffered injury, in that event, the informant would not have called and informed the informant. It is further submitted that informant alleges that he came to the hostel on 23-9-2025 and thereafter admitted his son in a private hospital since he was vomiting, but then name of the private hospital is not disclosed. It is also submitted that the informant next alleges



that when condition of the victim deteriorated, he was admitted at SKMCH, Muzaffarpur on 27-9-2025, where during course of treatment he died on 4-10-2025. It is next submitted that had the child been assaulted in the manner as being alleged in the FIR, in that event, the FIR would have been instituted instantly and not on 5-10-2025, i.e., after death of the child. It is further submitted that no doubt the allegation is serious but then a specific pleading has been made at para-11 of the anticipatory bail application that the victim was never assaulted.

5. Learned A.P.P. for the State vehemently opposes the prayer for anticipatory bail of the petitioner and submits that from perusal of the allegation as alleged in the FIR, it would manifest that the informant specifically alleges that when he reached the Hostel, he saw mark of injuries on face of his son and the son disclosed that he was assaulted by sir few days back and was threatened not to disclose about the occurrence to his family members. It is also submitted that even order impugned records that para 27 of the case diary records about antemortem injury. It is further submitted that no doubt the FIR came to be instituted on 5-10-2025, but then from perusal of the allegation as alleged in the FIR, it would manifest that minor son of the informant had suffered injuries on face, he was vomiting thus he



was admitted initially in a private hospital and thereafter when his condition deteriorated, he was admitted at SKMCH, where he subsequently died during the course of treatment. It is also submitted that one can well imagine the mental condition of a father whose minor son was unwell, had mark of injuries and was vomiting. It is further submitted that delay in instituting the FIR cannot be said to be fatal. It is next submitted that had there been no mark of injury on face of the child, in that event a specific pleading to that effect would have been made in the anticipatory bail application moreso when the order impugned order records about the antemortem injury. It is also submitted that investigation of the case is in its nascent stages.

6. After hearing the learned counsel for the parties, the Court is in agreement with the submission made by learned APP as such is not inclined to extend the privilege of anticipatory bail to the petitioner.

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

(Satyavrat Verma, J)

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