IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65663 of 2026

CNR No. BRHC010945122026

Arising Out of PS. Case No.-115 Year-2026 Thana- KEWATI District- Darbhanga

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Pawan Yadav @ Pawan Kumar Yadav S/o Bhogi Yadav R/o village- Kamalpur, P.S.- Rahika, District- Madhubani

... ... Petitioner/s

Versus

Ther State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Bijay Bhushan Prasad, Advocate
Mr. Rani Shashi Bharti, Advocate
For the Opposite Party/s : Mr. Binod Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE PRAVEEN KUMAR

ORAL ORDER

3 29-10-2026 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The Petitioner is apprehending his arrest in connection with Keoti P.S. Case No. 115 of 2026 registered for the offence punishable under Sections 126(2), 115(2), 118, 109, 351(2) of the BNS.

3. As per the prosecution case, on 14.04.2026, at about 8:00 P.M., the petitioner, who happens to be the informant's brother-in-law, came to the informant's house and started abusing him in filthy language, which led to an altercation. When the informant's brother, Anil Yadav, objected to the same, the petitioner assaulted him on the head with a

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bamboo stick lying there, as a result of which he became unconscious and fell to the ground. When the informant's wife came to rescue him, then the petitioner caught hold of her hair, threw her to the ground, and pulled her saree with an ulterior motive. During the occurrence, the petitioner also snatched the gold *mangalsutra* from the neck of the informant's wife and fled with it. Thereafter, a *panchayati* was convened between the parties on 17.04.2026, however, despite receiving information, the petitioner, Pawan Yadav, refused to participate in the *panchayati*.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It has further been submitted that there is a delay of six days in lodging the present FIR. It has further been submitted that the petitioner is the own brother-in-law of the informant and there is a matrimonial dispute between the petitioner and the sister of the informant and, in fact, taking advantage of the said dispute, the informant has lodged the present FIR. It has further been submitted that, in fact, the informant's brother was in an intoxicated state and sustained injuries after falling somewhere while in an inebriated condition and due to the previous dispute, the present case has been

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instituted on the basis of false allegations. It has also been submitted that the petitioner was not armed and he assaulted the brother of the informant with a bamboo stick which was lying there itself and as such, there was no premeditation to kill him. Referring to the injury report, learned counsel has further submitted that there was mild scalp swelling over the frontal bone with no obvious intracranial contusion and the injury was opined to be simple in nature. It has further been submitted that the date of injury is mentioned as 13.04.2026 whereas the alleged occurrence took place on 14.04.2026. Lastly, it has been submitted that the petitioner has clean criminal antecedent as stated in para 3 of the bail petition.

5. Learned APP for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

6. Heard the parties and perused the record.

7. Considering the aforesaid facts and circumstances of the case, as well as the delay in lodging the FIR coupled with the fact that the petitioner was not armed at the time of the alleged occurrence as also the nature of the injuries, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bonds of Rs. 10,000/-

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(Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Darbhanga, in connection with Keoti P.S. Case No. 115 of 2026, subject to the conditions as laid down under Section 482(2) of the B.N.S.S.

8. Accordingly, the present application stands allowed.

(Praveen Kumar, J)

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