

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74095 of 2025

Arising Out of PS. Case No.-824 Year-2024 Thana- BARH District- Patna

Baljit Kumar @ Balbir Kumar S/O Siya Ram Yadav @ Shyam Yadav R/O
Village- Dayachak, P.S.- Barh, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prem Kumar

For the Opposite Party/s : Mr.Arun Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 11-02-2026 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 191, 190,
126(2), 115, 103(2), 61(2) 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 accused persons including the petitioner came and
started accusing that their daughter has been kidnapped by them
and assaulted his wife, who died.

4. It is next submitted that petitioner has been falsely
implicated in the instant case. It is further submitted that there is
no specific allegation of assault against the petitioner and the
entire family members have been implicated. It is also submitted
that sister of the petitioner was missing as such an altercation



had taken place in between the male members of the family of both sides and both sides assaulted each other. It is further submitted that though in the FIR, it is alleged that wife of the informant was assaulted by the side of the petitioner leading to her death but then from perusal of the postmortem report, it would manifest that the same does not corroborate the allegation of assault. It is also submitted that no doubt some external injuries were found on the body of the deceased but then had 10 accused assaulted the deceased in the manner as alleged in the FIR, in that event, several injuries would have been found on the dead body of the deceased but the postmortem report records

- 1. An abrasion over right scapular region size 2"x1½"*
- 2. An abrasion over right lower back size 1"x1½" and*
- 3. A tender swelling present over mid sternal region of anterior chest wall size 1/2" in diameter.*

5. It is also submitted that even cause of death has been opined to be cardiac failure but not on account of the aforesaid injuries. It is further submitted that petitioners will not abscond rather will cooperate in the investigation to prove their innocence. It is next submitted that similarly situated co-accused Binod Yadav and Mdhe Yadav had approached this Court seeking anticipatory bail by filing Cr. Misc No. 36513 of 2025



and the same came to be allowed by an order dated 19-9-2025

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

7. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Barh P.S. Case No. 824 of 2024, subject to the conditions as laid down under Section 482 (2) of the BNSS.

8. However, it is made clear that in the event if the Investigating Officer of the case files an application before the learned trial court bringing to its notice that the petitioner despite giving assurance to this court is not co-operating in the investigation in that event the learned trial court shall be at liberty to cancel the bail bonds of the petitioner.

(Satyavrat Verma, J)

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