

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84083 of 2025

Arising Out of PS. Case No.-23 Year-2024 Thana- Pastpar Pusthi District- Saharsa

Gopal Sharan Murari @ Murari Yadav S/O Shri Nand Lal Yadav R/O Village-
Jalaiya, Ward No. 01, P.S- Pastpar, Distt.- Saharsa, Pin Code- 852107.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Navin Prasad Singh, Advocate
For the State	:	Mr. Shantanu Kumar, APP
For the Informant	:	Mr. Raja Surendra Mohan, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 09-02-2026 Heard learned counsel appearing on behalf of the petitioner, learned APP appearing on behalf of the State and learned counsel appearing on behalf of the informant.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 126(2), 115(2), 118(2), 303(2), 109, 333, 352, 351(3) and 3(5) of the B.N.S., 2023 and later on, Section 103(1) of the B.N.S. was added.

3. As per the prosecution story, the informant alleged that on 05.09.2024, all the F.I.R. named accused persons, including the petitioner, armed variously, forced themselves in the house of the informant and on the order of co-accused Kailash, this petitioner along with co-accused Digambar and



Satyam started assaulting with country made pistol. Further omnibus allegation is against other accused persons of assaulting the family members who all become unconscious and were shifted to Primary Health Centre, Patarghat and then to Saharsa/Madhepura. During the course of the treatment, the father of the informant, namely Maheshwar Yadav died.

4. It is submitted by learned counsel appearing on behalf of the petitioner that petitioner is quite innocent and has committed no offence. Petitioner is head master of a school and only with a view to harass and humiliate him, he has falsely been implicated in this case. Moreover, allegation of assault is general and omnibus and no specific accusation of overt act has been alleged against this petitioner. Petitioner claims clean antecedents.

5. On the other hand, learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the prayer for grant of anticipatory bail to the petitioner and submitted that petitioner is named in the F.I.R. with specific accusation that he, along with co-accused Digamber Yadav and Satyam Kumar assaulted father of informant with butt of pistol due to which, during course of treatment, he died.

6. Considering the facts and circumstances of the



case, fact that petitioner is one of the assailant of the deceased and gravity of offence, the prayer for grant of anticipatory bail to the petitioner is rejected.

(Prabhat Kumar Singh, J)

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