

In the Court of Additional Sessions Judge - I, Darbhanga
Present : Neeraj Kumar - II, BHJS, BR00552
BP No. 676/2026
(Arising out of Manigachhi P.S. Case No 14/26)
Birendra Kumar Yadav @ Arun Yadav Versus the State of Bihar

Birendra Kumar Yadav @ Arun Yadav, Aged about 24 years, S/o Baidyanath Yadav, R/o Village and PO - Baghant, P.S. - Manigachhi, District - Darbhanga

----- Petitioner

versus

State of Bihar

----- Opposite Party

Appearance(s):

Counsel for the Petitioner(s)

: Sri Shahinaz Anwar, Learned Advocate.

Counsel for the State

: Sri A. N. Jha, Learned Public Prosecutor.

ORDER

13.08.2026

1. The petitioner above named sought regular bail in connection with Manigachhi PS Case No 14/26 registered for the offence under Sections 140(2), 140(3), 61(2) of the Bhartiya Nyay Sanhita (hereinafter referred to as 'BNS' for short). The petitioner has been in judicial custody since 21.06.2026.
2. The Learned counsel appearing on behalf of the petitioner submitted that he was innocent and had not committed any offence. It was also submitted that petitioner had not filed bail petition of any sort earlier this court or either before any superior court. It was also submitted that the petitioner has clean antecedent and had been falsely implicated in this case due to personal grudge and mere suspicion. It was further submitted that there is no such occurrence as alleged in the FIR was did ever take place and there is no manner of alleged occurrence to the petitioner. It is further alleged that nothing has been recovered from the possession of the petitioner. It was also submitted that as a matter of fact the accused Ganga Yadav is an enemical terms with the petitioner and that is why he has named the petitioner and however on the alleged confessional statement nothing has been remained. It was alleged that the confessional statement of the co-accused has not evidentiary value under Section 23(2) of the BSA 2003 and on the basis of confessional statement cognizance can not be taken. It was submitted that the petitioner was ready to abide by the condition(s) imposed upon him by the learned court. The learned counsel prayed for grant of regular bail to the petitioner.
3. The Learned Public Prosecutor opposed the petition and prayed to reject it.
4. Heard both the sides, perused the case record and the Trial Court Record.
5. The prosecution case according to FIR in brief is that the petitioner called the informant's nephew Vishal on phone and latter left for Darbhanga on a rented vehicle. The driver of the vehicle returned and told about leaving Vishal at the petitioner's place. Vishal's mobile phones were found switch off and Vishal was not found thereafter.

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6. The petitioner is not named in the FIR but his name surfaced in this case out of mouth of co-accused Ganga Yadav (Para 60 of the case diary). Ganga deciphered the involvement of the petitioner in the offence and the manner in which the petitioner and he committed the murder of Vishal and hid the dead body behind the bushes. The dead body of Vishal, in decomposed state, was recovered (Para 67 of the case diary). The matter is still under investigation.
7. Though the petitioner has no criminal antecedent but taking into account the facts, circumstances and nature of allegation and stage of the case, I am not inclined to enlarge the petitioner on bail. In the result, the bail petition filed on behalf of the petitioner namely **Birendra Kumar Yadav @ Arun Yadav** stands **rejected**.
8. It is made clear that this order has no bearing on the merits of the case.
9. Let a copy of this order be sent to the concerned Jurisdictional Court.
10. Let this case record be deposited in the Record Room, Civil Court, Darbhanga after all due diligence.

(Neeraj Kumar - II)
Addl. Sessions Judge-I
Darbhanga
13.08.2026

Date of Order	13.08.2026
Date of Reserving Order	13.08.2026
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