

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5024 of 2025

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

Chandrakishor Yadav @ Chandakishor Yadav Son of Parshuram Yadav
Village -Jalaiya, Ward no 01, PS- Pastpar District- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Surya Narayan Yadav, Advocate
For the Opposite Party/s : Mr. Amitesh Kumar, APP
For the Informant : Mr. Raja Surendra Mohan, Advocate
Mr. Amit Kumar Singh, Advocate

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 05-05-2025 Heard learned counsel for the petitioner and learned APP
for the State as also learned counsel for the informant. Perused
the case diary.

2. The petitioner seeks bail in connection with Pastpar
P.S. Case No. 23 of 2024 instituted for the offence under
Sections 126(2), 115(2), 118(2), 303(2), 109, 333, 352, 351(3)
& 3(5) of the Bharatiya Nyaya Sanhita (BNS), 2023.
Subsequently, Section 103(1) of the BNS was added.

3. As per the prosecution case, petitioner along with
other co-accused persons have assaulted the informant as well
as the family members of the informant in which father of the
informant was severely injured and during the course of



treatment, he died.

4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 13-09-2024. Petitioner bears no criminal antecedents, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. It is submitted that there is no specific allegation attributed to the petitioner, rather there is general and omnibus allegation levelled against him. Learned counsel next submits that no incriminating articles has been recovered from the possession of the petitioner. It is submitted that during medical treatment father of the informant died and cause of the death is hemorrhage and shock, but is is not clear from the FIR as well as the case diary that who has beaten him due to which he was severely injured. Police after completion of investigation has submitted charge sheet in this case.

6. Learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the prayer for grant of bail to the petitioner. They submits that petitioner along with other have assaulted the informant's father with butt of the pistol due to which he became unconscious and fell down on the



ground and during treatment, he died.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner, there being no specific allegation against the petitioner and charge sheet being submitted, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Pastpar P.S. Case No. 23 of 2024.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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