

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9247 of 2025

Arising Out of PS. Case No.-313 Year-2024 Thana- SAUR BAZAR District- Saharsa

Ramesh Yadav, Son of Late Satrudhan Yadav, Resident of Village - Chandaaur,
Ward No.01, P.S. - Saur Bazar, District - Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shekhar Kumar Singh, Advocate

For the Opposite Party/s : Mr.Prem Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 14-02-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Saur Bazar P.S. Case No. 313 of 2024, registered on 08.05.2024 for the offences under Sections 302 and 201/34 of the Indian Penal Code.

3. As per prosecution case, the nephew of the informant was hanged by petitioner and other co-accused persons who happen to be the father, step mother and uncle of the deceased, respectively.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. The first wife of the petitioner was Inkumari Devi, the sister of the informant and though there is allegation that she



was done to death by the petitioner Ramesh Yadav but no FIR was lodged by the informant or his family members against the petitioner. Similarly, allegation of causing death of the nephew of the informant is completely false and concocted as there was no dispute in the family since second marriage of co-accused took place eight years back and for these eight years there is no dispute or quarrel in the family. Learned counsel further submits that in fact the deceased was addicted to drug and he died of overdose and was cremated. None of the witness is an eye-witness of the alleged occurrence and the statement of the informant is based on information received from his younger nephew but the said witness was examined by the police and he stated that he did not see the occurrence and saw the dead body of his elder brother lying in the courtyard. He also stated about deceased taking drugs. Learned counsel further submits that petitioner is in custody since 02.08.2024 and charge sheet has been submitted. The petitioner is having clean antecedent.

5. Learned APP opposes the submission made on behalf of the petitioner. Learned APP submits that there is specific allegation against the petitioner and other co-accused persons and witnesses in paragraph nos. 33, 34 and 35 of the case diary have stated about the petitioner assaulting the



deceased at the instigation of his second wife.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the lack of substantive material against the petitioner and also considering the clean antecedent of the petitioner coupled with period of custody and submission of charge-sheet, the petitioner is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned ACJM-II, Saharsa/concerned court, in connection with Saur Bazar P.S. Case No. 313 of 2024, subject to the condition laid down under Section 437(3) of the code of Criminal Procedure and other following conditions:

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the below, if so required by the learned trial court.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled



by the court concerned.

(Arun Kumar Jha, J)

V.K.Pandey/-

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