

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2155 of 2025

Arising Out of PS. Case No.-262 Year-2023 Thana- MADHEPUR District- Madhubani

Devan Yadav Son of Ramnarayan Yadav @ Narayan Yadav R/o - Dhavghat,
P.S - Ghoghardiha, District - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 12201 of 2025

Arising Out of PS. Case No.-262 Year-2023 Thana- MADHEPUR District- Madhubani

Ajay Kumar Thakur @ Ajay Thakur @ Sharma S/o Babaji Thakur @ Bavaji
Thakur R/o Village- Mujiyasi, P.S.- Ghoghardiha, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 2155 of 2025)
For the Petitioner/s : Mr. Arvind Kumar, Advocate
For the Opposite Party/s : Mr. Umanath Mishra, APP
(In CRIMINAL MISCELLANEOUS No. 12201 of 2025)
For the Petitioner/s : Mr. Jitendra Kumar Bharti, Advocate
For the Opposite Party/s : Mr. Shahabuddin Azeem @ S. Azeem, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 28-02-2025 Considering the fact that both the matters are arising out of the same P.S. case, with the consent of the parties, the applications are being heard together and disposed of by the common order.

2. The petitioners seek regular bail, who are in custody in connection with Madhepur P.S. Case No. 262 of



2023, registered for the offence punishable under Sections 341, 307, 120(B) of the Indian Penal Code and later on Section 302 of the I.P.C. and Section 27 of the Arms Act has been added.

3. The prosecution case is based on the fardbeyan of the informant, alleging therein, while the brother of the informant was going to *Madhepur* from his house, in the meantime, he was shot dead by some unknown miscreants.

4. Learned Advocate for the petitioner contended that the FIR has been instituted against unknown miscreants. However, during the course of investigation, the name of the petitioners have been sprung up in this case, only on the confessional statement of co-accused. It also transpired that co-accused Saroj Kumar @ Saroj Kumar Yadav had been in illicit relationship with the wife of the deceased and he hatched a plan along with the petitioners and caused the death of the deceased. Save and except the confessional statement, there is no material suggesting the complicity of the petitioner in the crime. Moreover, accused Devan Yadav has fair antecedent whereas co-accused Ajay Thakur is facing three criminal antecedent over his head.

5. On the other hand, learned APP for the State vehemently opposes the bail application and submits that during



the course of investigation, ample material have come suggesting the involvement of the petitioners in the crime. The co-accused Saroj Kumar @ Saroj Kumar Yadav has transferred hefty amount in the account of co-accused Ajay Kumar Thakur as a “*supari*” for causing the death of his brother in order to eliminate him from their way to foster illicit relationship.

6. Regard being had to the submissions made on behalf of the parties and considering the materials collected during the course of investigation, this Court is not persuaded to the prayer of the petitioners for grant of bail and accordingly, both the applications stand rejected.

7. However, the petitioners shall be at liberty to renew their prayer for bail after framing of charge.

(Harish Kumar, J)

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