

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23841 of 2025

Arising Out of PS. Case No.-495 Year-2023 Thana- PHULPARAS District- Madhubani

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Birendra Kumar @ Birendra Yadav @ Birendra Bharti Son of Ramdeo Yadav
Resident of Village- Bahuarba, P.O.- Dhaanauja, P.S.- Phulparas, Distt.-
Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shivnandan Bharti, Adv.

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

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

4 29-08-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Phulparas P.S. Case No. 495 of 2023 registered for the offence
punishable under Sections-302, 120(B), 34 of the Indian Penal
Code.

3. The mother of the deceased is informant of the
case. According to averments made in the FIR, five named
accused persons including the petitioner took her son from the
house at the pretext of participating in a feast. Thereafter, the
mobile of the deceased was found switched off. The informant
went to the house of co-accused Om Prakash Yadav in search of
her son but he could not respond satisfactorily. In course of
search, she came to know that a dead body cutting in pieces, is
lying in a canal near Bahuarwa. The dead body was of her son.



Her son was murdered by cutting into pieces. According to the informant, all the named accused persons are the persons of criminal background.

4. Learned counsel for the petitioner has submitted that co-accused Kishori Yadav, whose prayer for bail has been rejected, has given a vivid description of the entire occurrence. In the confessional statement of co-accused, Kishori Yadav, the manner of commission of murder was described with specific role of the accused persons. The name of the petitioner does not find place in confessional statement of Kishori Yadav.

5. Learned counsel appearing for the State has opposed the prayer for bail.

6. Be that as it may, the petitioner is named in the FIR and the co-accused Kishori Yadav made his confessional statement leading to recovery of dead body and it is a case of murder in which, the accused persons committed ghastly act even with the dead body of the deceased by cutting it into pieces coupled with the fact that the petitioner is involved in as many as ten criminal cases, I am not inclined to grant bail to the petitioner and accordingly, the same is rejected.

(Nawneet Kumar Pandey, J)

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