

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.26944 of 2025**

Arising Out of PS. Case No.-47 Year-2021 Thana- BHEJA District- Madhubani

Suresh Yadav @ Suresh Prasad Yadav S/O Late Sahdeo Yadav R/O Village-  
Koriyaghat, P.S.- Bheja, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                          |   |                                   |
|--------------------------|---|-----------------------------------|
| For the Petitioner/s     | : | Mr. Jitendra Kumar Bharti, Adv.   |
| For the Opposite Party/s | : | Mr. Uma Shankar Prasad Singh, APP |
| For the Informant        | : | Mr. Sashi Bhushan Singh, Adv.     |

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

ORAL ORDER

2      07-05-2025                      Heard learned counsel for the petitioner and learned  
APP for the State as also learned counsel for the Informant.

2. The petitioner seeks bail in connection with Bheja  
P.S. Case No. 47 of 2021 instituted for the offences under  
Sections 341, 323, 324, 307, 302, 504, 506/34 of the Indian  
Penal Code and Section 27 of the Arms Act.

3. As per prosecution case, the accusation against the  
accused persons including the petitioner is of abusing and  
assaulting the Informant and his family members.

4. Learned counsel for the petitioner submits that the  
petitioner is innocent and has committed no offence as alleged  
against him and has falsely been implicated in the present case.  
There is no eye-witness to the alleged occurrence. There is an



admitted land dispute between the parties and in the garb of civil litigation, the Informant has falsely implicated the petitioner in this case. There is a case and counter case between the parties. On the alleged date of occurrence, the Informant side had brutally assaulted the petitioner's son and other family members due to which he lodged a case bearing Bheja P.S. Case No. 53 of 2021 against them. In course of investigation, the police has not found any cartridge from the place of occurrence. He further submits that except suspicion, nothing adverse has come in the entire investigation which shows the complicity of the petitioner in the alleged occurrence. The petitioner has no concern with the alleged occurrence. The petitioner has six criminal antecedents and is languishing in judicial custody since 14.08.2024 without any rhymes or reason.

5. Learned counsel for the petitioner again submits that the co-accused namely Ghuran Yadav @ Ghuran Kumar Yadav @ Shobha Kant Yadav has been granted bail by a Co-ordinate Bench of this Court vide order dated 04.09.2024 passed in Cr. Misc. No. 63654 of 2024.

6. On the other hand, learned A.P.P. for the State and the Informant has vehemently opposed the prayer for grant of bail to the petitioner, stating that there is specific and direct



allegation against the petitioner of firing upon the Informant's brother namely Lalan Yadav which hits on his stomach and fell down on the earth and in course of his treatment, he died.

7. Having heard learned counsel for the parties and considering the nature and gravity of the offence as also there being direct allegation of firing against the petitioner, this Court is not inclined to grant bail to the petitioner.

8. Accordingly, the prayer for bail of the petitioner, above named, is rejected with a direction to the court below to expedite the trial and conclude the same expeditiously.

**(Rudra Prakash Mishra, J)**

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