

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25918 of 2025

Arising Out of PS. Case No.-317 Year-2024 Thana- PAKRIDAYAL District- East Champaran

Rakesh Yadav @ Rakesh Rai S/o Late Prahlad Rai R/o Village- Kodal, P.S.-
Pakridayal, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Krishna Kant Singh, Advocate
For the Opposite Party/s :	Mr. Syed Mojibur Rahman, APP
For the informant :	Mr. Anil Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 02-05-2025 Heard the learned counsel for the petitioner, learned
counsel for the State and the learned counsel for the informant.

2. The petitioner seeks regular bail in connection with
Pakridayal P.S. Case No. 317 of 2024 registered for the offence
under Sections 190, 191(2), 191(3), 115(2), 117(2), 109, 76, 352
and 351(2) of the Bharatiya Nyaya Sanhita, 2023. Section
103(1) of the Bharatiya Nyaya Sanhita, 2023 was added
subsequently.

3. As per the prosecution case, petitioner and one
Umesh Yadav are said to have assaulted the deceased with an
iron rod. The deceased sustained injuries and died after ten days.

4. It has been argued by the learned counsel for the
petitioner that no offence under Section 103(1) of the Bharatiya



Nyaya Sanhita, 2023 (Section 302 of the I.P.C) is made out against the petitioner as the deceased has died after ten days.

5. Learned counsel for the informant has vehemently opposed the prayer for bail.

6. Considering the fact that the deceased was assaulted only once and he died after ten days of the occurrence, prima-facie I am of the view that this is not a case of murder but is a case of culpable homicide not amounting to murder. Accordingly, this application for regular bail is allowed.

7. Accordingly, let the petitioner, above named, 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 the learned A.C.J.M.-8, East Champaran, Motihari/concerned Court below in connection with Pakridayal P.S. Case No. 317 of 2024.

8. This application for regular bail stands allowed.

(Sandeep Kumar, J)

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