

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29163 of 2025

Arising Out of PS. Case No.-233 Year-2024 Thana- LAUKAHI District- Madhubani

Devendra Prasad Yadav Son of Chandeshwari Yadav Resident of Village -
Karhari, Police Station - Laukahi, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Suraj Narain Yadav, Advocate
For the State	:	Mr. Brajendra Nath Pandey, APP
For the Informant	:	Mr. Gagandeo Yadav, Advocate
		Mr. Ravi Prakash, Advocate
		Mr. Udeshya Kumar Yadav, Advocate

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

ORAL ORDER

3 03-09-2025 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
Laukahi P.S. Case No. 233 of 2024 instituted for the offence
under Sections 126(1), 115(2), 118(1), 117(2), 109, 103(1) &
3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. Prosecution case in a nutshell is that petitioner
along with co-accused assaulted the informant's father by iron
rod, lathi, danda, butt of the gun and fists. Informant was
assaulted by the petitioner. Later, doctor declared informant's
father dead.

4. It has been submitted on behalf of the petitioner



that the petitioner is in custody since 31-12-2024. Petitioner bears no criminal antecedents, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. There is no specific allegation against the petitioner causing injury resulted in the death of the deceased. The allegation against the petitioner is that he assaulted the deceased on his right eye by the butt of the gun and the right eye was poked, but it appears from the postmortem report that there is no such injury. As per postmortem report, death is due to head injury caused by hard and blunt object. Charge sheet is submitted in this case.

6. Learned A.P.P. for the State and learned counsel for the Informant have vehemently opposed the prayer for grant of bail to the petitioner. Other witnesses have supported the prosecution case.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner and charge-sheet being submitted, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on furnishing



bail bonds of Rs. 15,000/- (Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Laukahi P.S. Case No. 233 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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