

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44522 of 2025

Arising Out of PS. Case No.-824 Year-2024 Thana- BARH District- Patna

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Shiyaram Yadav @ Shyam Yadav S/O Late Yugeswar Yadav R/O Village-
Dayachak, Naya Tola, Ward No. 2, P.S.- Barh, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prem Kumar, Adv.

For the Opposite Party/s : Md. Shakir Ahmad, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 4

26-09-2025

1. Heard learned counsel for the petitioner and the learned APP for the State.

2. The petitioner seeks bail in a case registered for the offences punishable under Sections 191, 190, 126(2), 115, 103(2) and 61(2) of the Bharatiya Nyaya Sanhita.

3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and the informant alleges that 10 named accused persons including the petitioner came and started accusing that their daughter has been



kidnapped by them and assaulted his wife, who died.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is further submitted that there is no specific allegation of assault against the petitioner and the entire family members have been implicated. It is also submitted that sister of Mangli Kumari was missing, as such, an altercation had taken place in between the male members of the family of both sides and both sides assaulted each other. It is further submitted that though in the FIR, it is alleged that wife of the informant was assaulted by the side of the petitioner leading to her death, but then from perusal of the postmortem report, it would manifest that the same does not corroborate the allegation of assault. It is next submitted that no doubt some external injuries were found on the body of the deceased, but then had ten accused assaulted the deceased in the manner as alleged in the FIR, in that event several injuries would have been found on the dead body of the deceased, but the postmortem report records- (i) an abrasion over right scapular region size 2" x 1½" (ii) an abrasion over right lower back size 1"x ½" and (iii) tender swelling present over mid sternal region of anterior chest wall size ½" in diameter. It is next submitted that this amply demonstrates that



during altercation when both sides assaulted each other, the wife of the informant might have fallen on account of which the injuries were caused. It is also submitted that the postmortem report records the cause of death as cardiac failure, but not on account of the aforesaid injuries. It is next submitted that petitioner is in custody since 29.10.2024, charge sheet has been submitted, as such, no useful purpose would be served by keeping the petitioner in jail. It is further submitted that petitioner will not abscond rather will cooperate in the trial to prove his innocence.

5. Learned A.P.P. for the State opposes the prayer for bail of the petitioner.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Barh P.S. Case No. 824 of 2024.

7. However, it is made clear that if the learned Trial Court comes to a conclusion that petitioner, after his release, is trying to delay the framing of charge or after framing of charge



is trying to delay the trial, in both the conditions, the learned Trial Court shall be at liberty to cancel the bail bonds of the petitioner.

8. Accordingly, the instant bail application stands allowed.

(Satyavrat Verma, J)

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