

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38628 of 2025**

Arising Out of PS. Case No.-597 Year-2024 Thana- GHOSI District- Jehanabad

RAJESH KUMAR S/O SHATRUDHAN YADAV R/O VILL-
PAKHANPURA, PS-GHOSHI (OKARI), DIST-JEHANABAD

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Yadav, Advocate
For the Opposite Party/s : Dr. Indihar Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER**

3 06-08-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in a case registered for the offences punishable under sections 80, 238, 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution case, it has been alleged that the petitioner along with the other named accused had killed the daughter of the informant and had disposed of her dead body.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case as the death of the victim occurred due to natural ailment and treatment was provided by the accused. Learned counsel further submits that all information regarding the victim's condition was communicated to her father. However, the present



F.I.R. was lodged solely on the instigation of local enemies in the village. Learned counsel has also submitted that the father of the deceased later realized that he had filed the case based on false information supplied by co-villagers and accordingly filed an application before the Superintendent of Police, Jehanabad stating about such fact. It has lastly been submitted that the petitioner has no criminal antecedent and is in custody since 24.02.2025.

5. Learned APP for the State vehemently opposed the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case and taking into account the subsequent development and the materials available in the case diary, let the petitioner above named be released on furnishing bail bonds of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M, Jehanabad in connection with Ghosi (Okri) P.S. Case No. 597 of 2024 subject to the conditions :

a. One of the bailors of the petitioner shall be his close relative.

b The petitioner shall remain physically present in Court on each date of the trial.



c. In case of absence on two consecutive dates, or in violation of the terms of the bail and if the prosecution is found involvement of the petitioner in similar nature of offence, the bail bond of the petitioner will be liable to be canceled by the Court concerned.

d. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

7. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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