

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51394 of 2025

Arising Out of PS. Case No.-143 Year-2025 Thana- BIHIA District- Bhojpur

Umesh Yadav S/o Sri Bhagwan Yadav @ Shri Bhagawan Singh R/o vill -
Saheb Tola, P.S.- Bihiya, Distt.- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar Roy, Advocate

For the Opposite Party/s : Mr.Shyameshwar Dayal, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 11-08-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Bihiya P.S. Case No. 143 of 2025, registered for the offences under Sections 103(1) and 3(5) of the B.N.S.

3. As per the prosecution case, informant received a phone call about murder of his father at F.C.I. Godown. The informant named three co-accused persons for their involvement in the killing of his father due to some monetary transaction. The name of the petitioner transpired during investigation for also being involved in the present case.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The petitioner has no concern with the said occurrence and nothing incriminating has been



recovered from person or possession of this petitioner who was not named in the FIR. The petitioner has been falsely implicated in this case only on the basis of suspicion. Learned counsel further submits that perhaps the petitioner is also a driver and this deceased was also a driver and for this reason he might have been falsely implicated in this case. Learned counsel further submits that as a matter of fact on the date of occurrence, the deceased was drunk and in the night he was fixing the tarpaulin, after climbing up the truck, meanwhile, he fell down and sustained injury on his head and died. There is no specific allegation against the petitioner and there is no cogent material to connect him with the offences as alleged. The petitioner is in custody since 25.04.2025 and charge sheet has been submitted. The petitioner is having one criminal antecedent and he has been acquitted in that case.

5. Learned A.P.P. appearing for the State opposes the submission made on behalf of the petitioner.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the completely vague and remote nature of allegation and also considering lack of cogent material against the petitioner, his period of custody of the petitioner and submission of charge



sheet against him, the petitioner is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned J.M.F.C., Bhojpur at Ara/concerned court, in connection with Bihiya P.S. Case No. 143 of 2025, subject to the condition laid down under Section 480(3) of the BNSS and other following conditions:

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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