

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.52603 of 2025**

Arising Out of PS. Case No.-233 Year-2024 Thana- KUCHAIKOTE District- Gopalganj

Bidesh Kumar @ Bidesh Yadav @ Videsh Kumar S/o Gandhi Yadav @  
Gandhi Chaudhary R/o Village- Rampur Madho, P.S.- Kuchaikote, Dist.-  
Gopalganj, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Adesh Raj Singh, Adv.

For the Opposite Party/s : Mr. Md. Matloob Rab, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH  
SINGH**

ORAL ORDER

2      01-11-2025                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Kuchaikote P.S. Case No. 233 of 2024 dated 29.05.2024 registered for the offences punishable u/ss 341, 323, 325, 307 and 302 read with Section 34 of the Indian Penal Code.

3. As per the prosecution case, on 26.05.2024 at 8 A.M., the informant's father was leveling soil at his door, in the meantime, the petitioner and the co-accused persons started abusing him and said that they are co-sharer in the land. The informant's father replied that he has got the land registered in his name upon which the accused persons started assaulting



him. They dragged the father of the informant forcibly to Brahmasthan and dashed the head of the informant's father to chabutara. The informant's father became unconscious. The informant's wife called him and gave information about the incident. The informant came and took his father to the hospital for treatment.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The allegation against the petitioner is general and omnibus in nature. The occurrence took place on 26.05.2024 but the F.I.R. was lodged on 29.05.2024 and there is no explanation for this delay. There is a land dispute between the parties. As per the post mortem report, abrasion over the left eyebrows and left side chest has been found over the body of the deceased and no external injury has been found. No specific allegation is levelled against the petitioner. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has no criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 08.04.2025. The co-accused person has already been granted anticipatory bail by this Court vide order dated 29.11.2024 passed in Cr. Misc. No. 72780 of 2024.

5. Learned A.P.P. for the State has vehemently



opposed the bail petition of the petitioner by submitting that as per the post-mortem report of the deceased, the cause of death is haemorrhage and shock due to injury caused by impact of hard and blunt substance.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Gopalganj in connection with Kuchaikote P.S. Case No. 233 of 2024, with a condition:-

(i) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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