

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50898 of 2025

Arising Out of PS. Case No.-104 Year-2024 Thana- BHEJA District- Madhubani

Sushil Kumar Yadav S/O Tirpit Narayan Yadav @ Tirpeet Narayan Yadav @
Tripti Narayan Yadav R/O Village- Darah Nawtoliya, P.S.- Bheja, District-
Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Kumar Bharti, Adv.

For the Opposite Party/s : Mr.Rajendra Prasad Nat, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA
ORAL ORDER

2 07-08-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The present case has been heard side-by-side Cr.
Misc. No. 22176 of 2025 in which the case diary was called for.

3. The petitioner seeks bail in connection with Bheja
P.S. Case No. 104 of 2024 instituted for the offences under
Sections 329(4), 126(2), 115(2), 118, 109, 75, 303(2), 324(4),
352, 351(2) and Section 3(5) of the Bhartiya Nyaya Sanhita,
2023 and later on added Section 103 of the B.N.S., 2023.

4. As per prosecution case, the accusation against the
F.I.R. named accused persons including the petitioner is of
assaulting the informant due to which he sustained grievous
injury and ultimately succumbed to the injury. The specific



allegation has been made against the petitioner of forcefully catching the informant.

5. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case due to dirty village politics and old enmities. There is no specific or direct allegation of any overt act against the petitioner rather the same is general and omnibus in nature. The specific allegation of assault by means of Kudal is against the co-accused Sunil Kumar Yadav. He further submits that the F.I.R. has been lodged against nine named accused persons and fifty unknown persons. He further submits that there is delay of 8-9 days in lodging the F.I.R. that too without there being any plausible explanation for the same which creates doubt in the veracity of the prosecution case. He further submits that the doctor has found the nature of injuries caused upon the informant as simple in nature and caused by hard and blunt substance. The petitioner has no criminal antecedents and is languishing in judicial custody since 07.05.2025 without any rhyme or reason.

6. Learned counsel for the petitioners again submits that the co-accused namely Gauri Shankar Mahto has been



granted bail by a Co-ordinate Bench of this Court vide order dated 10.06.2025 passed in Cr. Misc. No. 35072 of 2025.

7. On the other hand, learned A.P.P. for the State and the Informant have vehemently opposed the prayer for grant of bail to the petitioner, stating that the offence alleged is serious in nature.

8. Having heard learned counsel for the parties and considering the nature and gravity of the offence, this Court is not inclined to grant bail to the petitioner.

9. Accordingly, the prayer for bail of the petitioner, above named, is rejected with a direction to the court below to expedite the trial and conclude the same expeditiously preferably within a period of six months from today. If the trial is not concluded within the period of six months as stated above, the petitioner will be at liberty to renew his prayer before the court below.

(Rudra Prakash Mishra, J)

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