

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61013 of 2025

Arising Out of PS. Case No.-361 Year-2024 Thana- SAHEBPUR KAMAL District-
Begusarai

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Ram Sakha Yadav, aged about 28 years, Gender-Male, S/o Chhapo Yadav @
Shatrughan Yadav, R/o vill - Ward No. 1, Heera Tol, P.S.- Sahebpur Kamal,
Distt.- Begusarai

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner	:	Mr. Pritish Kumar Lal, Advocate
For the Informant	:	Mr. Gaurav Kumar, Advocate
For the Opposite Party	:	Mr. Kumar Veerendra Narayan

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

ORAL ORDER

2 17-11-2025 Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with
Sahebpur Kamal P.S. Case No. 361 of 2024 dated 26.10.2024
registered for the offences punishable under Sections 126(2),
115(2), 118(2), 308(2), 351(1), 351(2), 352, 109(1), 76 read
with Section 3(5) of the B.N.S., 2023. Later on, Section 103 of
the B.N.S. 2023 was also added.

3. As per the prosecution case, on 26.10.2024 at
around 7.00 A.M., when the informant was at her home then the
petitioner and the co-accused person armed with weapon and



iron rod came and started abusing her and entered her house and demanded extortion of Rs. 2,00,000/-. On this, the informant replied that she is poor and cannot fulfill the said demand. On hearing this, Ramsakha Yadav (petitioner) ordered to assault them. On this, the co-accused Ramjapo Yadav with an intention to kill, fired on the informant and Ram Sakha Yadav (petitioner) assaulted the informant's husband with an iron rod causing injury. Thereafter, Ramsakha Yadav (petitioner) took a gold chain from her husband. It is further alleged that the informant gave Rs. 10,000/- to the co-accused Ramjapo Yadav. Thereafter, the co-accused Ramjapo Yadav pushed the informant to the ground and the informant became half naked and the petitioner said, this is just the beginning if you do not give the full extortion money soon, I will kill your entire family and make the bodies disappear after commotion, villagers gathered there and the accused persons fled away from there by brandishing weapon. Thereafter, the husband of the informant was taken to the P.H.C., Sahebpur Kamal and he was treated there and in the course of treatment, the husband of the informant died.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is submitted that the alleged occurrence took place



on 26.10.2024 and the husband of the informant, Umesh Prasad died on 09.11.2024 i.e., after about 15 days which shows that the deceased died due to carelessness and lack of proper treatment. It is further submitted that from perusal of the F.I.R., and the materials collected during the course of investigation, it appears that the petitioner had given only single iron blow on the head of the deceased Umesh Prasad and had not repeated the same but the doctor who conducted the postmortem of the deceased found multiple injuries on the deceased. It is further submitted that during the course of treatment, witnesses have been examined by the Investigating Officer and all have stated in their statement that the petitioner had given only single iron blow to the deceased. Hence, Section 103(1) of the B.N.S., 2023 is not attracted in the present case. The petitioner and the informant side are agnates and the lands belong to the petitioner and the informant are adjacent to each other and the informant and her family member had greedy eyes over the lands of the petitioner and there has been 107 Cr.P.C. proceeding between the parties for the said lands. It is further submitted that the other co-accused person, namely, Ramjapo Yadav has already been granted bail by a Bench of this Court in Cr. Misc. No. 18428 of 2025 vide order dated 22.04.2025, annexed as



Annexure- P/3 to the present bail application. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail petition. The petitioner is in custody in this case since 16.04.2025.

5. Learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the bail petition of the petitioner. Learned counsel for the informant has further submitted that there is direct allegation against the petitioner that he assaulted with iron rod on the head of the informant's husband, due to which, he died. As per the postmortem report, death was due to neurogenic and haemorrhagic shock as a result of intracranial bleeding caused by heavy, hard and blunt object.

6. Considering the aforesaid facts and circumstances of the case and the specific accusation against the petitioner, this Court is not inclined to grant bail to the petitioner and the same is rejected in connection with Sahebpur Kamal P.S. Case No. 361 of 2024, pending in the court of learned Sub Judge-IV-cum-Additional Chief Judicial Magistrate-IV, Begusarai.

7. The application stands rejected.

8. The learned court below is directed to expedite the trial of the petitioner and conclude the same at the earliest.

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(Chandra Prakash Singh, J)

