

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65885 of 2025

Arising Out of PS. Case No.-824 Year-2024 Thana- BARH District- Patna

Mahendra Yadav S/o Shyam Yadav R/o Village- Dayachak Naya Tola, P.S.-
Barh, District- Patna

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Premchandra Yadav

For the Opposite Party/s : Mr.Rita Verma

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 09-12-2025 Heard learned counsel for the parties.

2. Petitioner seeks regular bail in connection with Barh P. S. Case No. 824 of 2024 in a case registered for the offences punishable under Sections 191, 190, 126(2), 115, 103(2) and 61(2) of the B.N.S.

3. Prosecution case, in brief, is that, the informant alleges that 10 named accused persons including the petitioner came and started accusing that their daughter has been kidnapped by them and started assaulting the wife of the informant due to which she became unconscious, subsequently, she died during the course of treatment.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is also submitted that the daughter of co-accused



Raju Kumar was missing, as such, an altercation had taken place in between the male members of the family of both sides and both sides assaulted each other. It is further submitted that though in the FIR, it is alleged that wife of the informant was assaulted by the side of the petitioner leading to her death, but then from perusal of the postmortem report, it would manifest that the same does not corroborate the allegation of assault. It is next submitted that no doubt some external injuries were found on the body of the deceased, but then had 10 accused assaulted the deceased in the manner, as alleged in the FIR, in that event, several injuries would have been found on the dead body of the deceased, but the postmortem report records- (i) an abrasion over right scapular region size 2" x 1½" (ii) an abrasion over right lower back size 1"x ½" and (iii) tender swelling present over mid sternal region of anterior chest wall size ½" in diameter. It is also submitted that the postmortem report records the cause of death as cardiac failure, but not on account of the aforesaid injuries. Petitioner has got clean antecedent and he is in custody since 13.6.2025. Similarly situated co-accused has already been allowed bail by this Court vide order passed in Cr.Mis.No.74699/2025. Charge-sheet has already been submitted.



5. However, learned A.P.P. for the State opposed the bail application

6. Considering the nature of accusation and period of custody, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, 1st Class, Barh, Patna/concerned Court below, in connection with Barh P. S. Case No. 824 of 2024.

Shashi

(Prabhat Kumar Singh, J)

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