

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71493 of 2025

Arising Out of PS. Case No.-114 Year-2025 Thana- SIRISIYA District- West Champaran

Vishal Yadav @ Vishal Kumar Yadav, S/O- Jai Prakash Yadav, Ward No. 2,
Village- Babu Tola, Garabhua, Police Station- Sirisiya, District- West
Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Abu Nasar, Advocate
For the Opposite Party/s	:	Mr. Pranav Kumar, APP
For the Informant	:	Mr. Avinash Raj, Advocate
		Mr. Sachida Nand Rai, Advocate

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 31-10-2025 Heard Mr. Abu Nasar, learned counsel for the
petitioner, Mr. Avinash Raj, learned counsel for the informant
and Mr. Pranav Kumar, learned A.P.P. for the State

2. Petitioner, who is in custody, seeks bail in
connection with Sirisiya (West Champaran) P.S. Case No. 114
of 2025 registered for the offences punishable under Sections
103(1) and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution case, the informant has
alleged that six named accused persons including the petitioner,
Vishal Yadav came to her house on a tractor and started
assaulting her husband with *Kudal*, iron rod and stick. It has
been alleged that along with the said accused persons there were



few unknown 5 to 6 persons who had also assaulted. Subsequently, the husband of the informant was taken to hospital, where he was declared dead.

4. The learned counsel for the petitioner submits that petitioner has falsely been implicated in this case. Petitioner is a twenty year old boy and is a student preparing for NEET examination, as would be evident from Annexure P/3. It has been submitted that the entire family of the petitioner has been named as accused and from the perusal of the FIR, it would be evident that all the named accused persons as well as unknown persons are stated to have assaulted the husband of the informant. However, from perusal of the *post-mortem* report, which has been brought on record by way of Annexure P/2, it would be evident that the external injury was found to be only one on the skull. The learned counsel has thus submitted that there is no specific allegation against the petitioner and the injury sustained cannot solely be attributed to the petitioner. The learned counsel lastly submits that the petitioner has clean antecedent and he is in custody since 09.07.2025.

5. The learned counsel for the informant as well as learned A.P.P. for the State has vehemently opposed the prayer for bail and has stated that the petitioner along with others with



prior meeting of mind have assaulted the husband of the informant by various arms and who died due to the injury sustained.

6. Considering the aforesaid submissions made by the parties and taking account the fact that there is general and omnibus allegation against the petitioner, let the petitioner, above named, 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 court below where the case is pending/successor court in connection Sirisiya (West Champaran) P.S. Case No. 114 of 2025, subject to the following conditions:-

(i) One of the bailors of the petitioner shall be his close relative and the other shall be local resident.

(ii) The petitioner shall remain physically present in Court on each date of the trial.

(iii) In case of absence on two 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.

(iv) If the petitioner is found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.



(v) The learned Court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

7. Accordingly, the prayer for bail is allowed.

8. It is made clear that the observation, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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