

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80273 of 2024

Arising Out of PS. Case No.-253 Year-2024 Thana- ROH District- Nawada

Ramswaroop Yadav Son of Pyare Yadav Resident of village - Sheikhpura,
P.S.- Roh, District - Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Y.C. Verma, Sr. Advocate Mr. Shreyanshu Kumar, Advocate Mr. Aditya Pandey, Advocate Mr. Shyam Kishore, Advocate Mr. Aditya Raj Singh, Advocate
For the State	:	Mr. Shailendra Kumar Singh, APP
For the Informant	:	Mr. Birendra Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 27-02-2025 Heard Mr. Y.C. Verma, learned Senior Counsel for the
petitioner, Mr. Shailendra Kumar Singh, learned APP for the
State and Mr. Birendra Kumar, learned counsel for the informant.

2. The petitioner has prayed for regular bail in a case
registered for the offence punishable under Sections 126(2),
308(2), 76, 115(2), 303(2) and 109(1) of the BNS.

3. The case of the prosecution is that two months back
the petitioner has demanded rangdaari of Rs.5,000/- from the
father of the deceased which his father refused. On this issue hot
exchange took place between the petitioner and father of the
deceased. On 21.08.2024 the informant has gone to take call of
nature. He heard the sound of “Bachao Bachao”. When he went



there he saw the petitioner has caught his mother Lakhpatiya Devi. Whent the informant pushed the petitioner, after this the petitioner started assaulting the informant with slaps and fists and also tied his neck with the chain which the informant was wearing in his neck. Initially a case under Section 307 of the IPC was filed. On 01.09.2024 the informant died and Section 103 of the IPC was added.

4. Learned counsel for the petitioner submits that after the occurrence the informant(deceased) was treated and from perusal of the injury report it transpires that the informant had received simple injuries caused by hard and blunt substance. The allegations is also that he was assaulted with slaps and fists. From perusal of the injury report it transpires that the Doctors have found no significant abnormality. From perusal of diary it also transpires that after treatment the informant had recovered and was having his medicines but on 01.09.2024 he started deteriorating and died. From perusal of the post mortem report it transpires that cause of death is Asphyxia due to hanging. In FIR there is allegation that the petitioner has pressed the neck of the deceased and has also tied his neck with the chain which the informant was wearing. The occurrence is of 21.08.2024. It has also been argued by the learned counsel for the petitioner that information was given on 22.08.2024. The nature of injuries



which the informant had received were simple in nature and he has recovered.

5. Learned APP appearing for the State as well as learned counsel for the informant have vehemently opposed the prayer of regular bail. Learned counsel for the informant has stated that the boy of 15 years has been brutally murdered.

6. Having heard learned counsel for the parties and considering the fact that from nature of the injuries it transpires that the informant has received simple injuries and he died after recovery, this court is inclined to enlarge the petitioner on bail with a direction to the trial court to expedite the trial. The above named petitioner is directed to be released on bail in connection with Roh P.S. Case No. 253 of 2024 on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Nawada.

7. Accordingly, the present bail application stands allowed.

(Ashok Kumar Pandey, J)

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