

IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.82903 of 2024

Arising Out of PS. Case No.-87 Year-2024 Thana- Mufassil District- Khagaria

Pappu Yadav @ Pappu Kumar S/o Late Shiv Yadav R/o Rakochandra Nagar,  
P.S. - Muffasil, Distt.- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with  
CRIMINAL MISCELLANEOUS No. 83345 of 2024

Arising Out of PS. Case No.-87 Year-2024 Thana- Mufassil District- Khagaria

Laddu Yadav Son of Late Shiv Yadav R/O Rakochandra Nagar, P.S.- Muffasil,  
Dist.- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**  
(In CRIMINAL MISCELLANEOUS No. 82903 of 2024)  
For the Petitioner/s : Mr. Siddhartha Prasad, Advocate  
Mr. Om Prakash Kumar, Advocate  
Mr. Shashank Shekhar, Advocate  
For the Opposite Party/s : Mr. Awadhesh Kumar Singh, APP  
(In CRIMINAL MISCELLANEOUS No. 83345 of 2024)  
For the Petitioner/s : Mr. Shashank Shekhar, Advocate  
Mr. Om Prakash Kumar, Advocate  
For the Opposite Party/s : Mr. Aditya Narayan Singh.1, Advocate

**CORAM: HONOURABLE MR. JUSTICE KHATIM REZA**  
**ORAL ORDER**

4      28-02-2025      Heard learned counsel for the petitioners and learned  
A.P.P. for the State.

2. Since both the bail applications arise out of same  
P.S. Case no. the same are being disposed of by this common  
order.



3. The petitioners seeks bail in connection with Khagaria Mufassil P.S. Case No. 87 of 2024 dated 21.07.2024, instituted for the offence punishable under Sections 103, 3(5) of the *Bharatiya Nyaya Sanhita*, 2023.

4. The prosecution case, in short, is that, on the alleged date of occurrence, Rajesh Sah, Bittu Sah and Pawan Ram called the husband of the informant and took him to Rako Chandra Nagar to cook food. They kept him in the house of Laddu Yadav (petitioner in Cr. Misc. No. 83345 of 2024) till 20.07.2024. It is further alleged that and petitioners including other accused persons brutally assaulted the husband of informant due to which he succumbed to death. Thereafter, the accused persons threw his body on the road and fled away.

5. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in this case. It is further submitted that informant herself did not witness the alleged incident; she admits that she got information through rumors and local people. It is also submitted that during investigation numerous CCTV footages from various locations were examined in an attempt to gather evidence. However, no concrete or substantive evidence was recovered. Lastly, it has been submitted that the petitioners are in custody since



16.09.2024 having no criminal antecedents and charge-sheet has been submitted in the case.

6. Learned A.P.P. vehemently opposed the prayer for bail of the petitioners and submitted that during investigation, the witnesses have been examined who stated in paragraph nos. 30 & 31 of the case diary that the mother and the daughter of the deceased have clearly stated in their statement that Laddu Yadav and Pappu have assaulted the deceased. In paragraph no. 34, an independent witness, namely, Birju Yadav, who is the resident of the petitioners' village and also claims to be eye-witness to the occurrence, stated that Laddu Yadav and Pappu Yadav along with unknown persons assaulted the deceased. It is further submitted that the said independent witness is known to the petitioners. It is further submitted that post-mortem report reveals that there was some external injury on the body like bleeding from nose and near left eye, abrasion and swelling below left eye, swelling right forearm, abraded and bruise present on scrotal sac on left side. As per the report, internal injuries are left testis lacerated Tunica sac contains blood and blood clots.

7. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, I am



not inclined to grant bail to the petitioners.

8. Accordingly, the prayer of the petitioners for grant of bail is hereby rejected.

9. The learned Trial Court is directed to take all endeavour to conclude the trial within one year from the date of receipt/production of a copy of this order. If the trial is not concluded within one year, the petitioners will be at liberty to renew their prayer for bail.

**(Khatim Reza, J)**

Sankalp/-

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