

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85363 of 2024

Arising Out of PS. Case No.-9 Year-2024 Thana- CHAKARANDHA P.S. District- Gaya

Sadabriksh Yadav Son of Chandeshwar Yadav @ Chandesh Yadav Resident
of Village- Baraha, P.S.- Chhakrabandha, Distt.- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Mahendra Thakur, Advocate
For the Opposite Party/s :	Ms. Nirmala Kumari, APP
For the Informant :	Mr. Anil Kumar Sinha, Advocate
	Mr. Shudhir Kumar Sinha, Advocate

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 27-02-2025 Heard learned counsel for the petitioner and learned APP
for the State as also learned counsel for the informant. Perused
the case diary.

2. The petitioner seeks bail in connection with
Chhakrabandha P.S. Case No. 09 of 2024 instituted for the
offence under Sections 103(1), 238, 61(2) of the Bharatiya
Nyaya Sanhita, 2023.

3. As per prosecution case, allegation against the
petitioner is that he along with other have committed murder of
the informant's brother by hanging, whereafter, his body and
face were burnt with kerosene and thrown into dam.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 19-08-2024. Petitioner



bears no criminal antecedent, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case only on the basis of suspicion. Informant is not the eye witness to the occurrence. There is no specific allegation attributed to the petitioner. Police after completion of investigation has submitted charge sheet in this case.

6. Learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the prayer for grant of bail to the petitioner. Other witnesses have also supported the prosecution case. As per postmortem report, cause of death is asphyxia & shock as a result of drowning. Bail of other co-accused has been rejected by this Court vide order dated 19-02-2025, passed in Cr. Misc. No. 82582 of 2024.

7. Considering the aforesaid facts and circumstances of the case and specifically taking into account the nature and gravity of the offence, this Court, at this stage, is not inclined to grant bail to the petitioner. Prayer for grant of bail is hereby *rejected*.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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