

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1474 of 2025

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

Uday Yadav Son of Sri Ramotar Yadav Resident of village- Barha, PS-
Chhakarbandha, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kr. Thakur, Adv. Mr. Vaishnavi Singh, Adv. Mr. Ritwik Thakur, Adv.
For the Opposite Party/s	:	Mr. Shailendra Kumar, APP

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

ORAL ORDER

4 30-06-2025 Heard learned counsel for the petitioner and learned APP
for the State. Perused the case diary.

2. The petitioner seeks bail in connection with
Chhakarbandha 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. The Informant is not the eye witness to the alleged occurrence. There is no specific allegation attributed to the petitioner rather the same is general and omnibus in nature. He further submits that the confessional statement of the petitioner recorded by the police is out and out false statement and the same is not being corroborated by the statement of the witnesses or the medical report i.e. postmortem report which goes to show that in a mechanical manner, the petitioner and others have been detained. He also submits that the postmortem report of the deceased does not corroborate the allegation made in the F.I.R. as the same shows that the body was highly decomposed and the probable cause of death was asphyxia due to antemortem drowning. The police after completion of investigation has submitted charge sheet in this case.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner, stating that the allegation alleged is serious in nature. He further submits



that the witnesses have also supported the prosecution case. As per postmortem report, cause of death is asphyxia & shock as a result of drowning. The petitioner is named in the F.I.R. and, hence, he does not deserve bail. He further submits that the prayer for bail of the co-accused Vyas Paswan and Sadabriksh Yadav have already been rejected by this Court vide orders dated 19.02.2025 & 27.02.2025 passed in Cr. Misc. Nos. 82582 of 2024 & 85363 of 2024 respectively.

7. Having heard learned counsel for the parties and considering the entire facts and circumstances of the case specifically taking into account the nature and gravity of the offence, this Court is not inclined to grant bail to the petitioner.

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

(Rudra Prakash Mishra, J)

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