

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2938 of 2026

Arising Out of PS. Case No.-104 Year-2024 Thana- BHEJA District- Madhubani

Sunil Kumar Yadav @ Sunil Yadav Son of Tirpit Narayan Yadav @ Tirpeet Narayan Yadav @ Tripti Narayan Yadav R/o Village - Darah Nawtoliya, P.S.- Bheja, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Jitendra Kumar Bharti, Advocate
For the Opposite Party/s :	Mrs. Rita Verma, APP
For the Informant :	Mr. Gagandeo Yadav, Advocate
	Mr. Udeshya Kumar Yadav, Advocate

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 30-01-2026 Heard learned counsel for the petitioner, learned APP for the State and learned counsel for the informant.

2. The petitioner seeks bail in connection with Bheja P.S. Case No. 104 of 2024, instituted for the offences punishable under Sections 329(4), 126(2), 115(2), 118, 109, 75, 303(2), 324(4), 352, 351(2), 3(5) of the Bharatiya Nyaya Sanhita, 2023 and later on Section 103 of the Bharatiya Nyaya Sanhita, 2023.

3. The prosecution case, in short, is that over a dispute relating to agriculture field, it is stated that the accused persons including the petitioner came variously armed and, on the order of co-accused Tirpeet Narayan Yadav, co-accused Sushil Kumar



and Hareram Yadav caught hold of the informant while the petitioner gave a blow with *kudali*. The injured subsequently died in course of treatment.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. No incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner also submitted that general and omnibus allegation has been made against the petitioner. It is next submitted that there is delay of eight days in lodging the FIR. The petitioner is in custody since 07.05.2025 and has got no criminal antecedent. Learned counsel for the petitioner further submitted that other co-accused has been granted regular bail by this Court vide order dated 18.09.2025 passed in Cr. Misc. No. 54931 of 2025.

5. Learned APP for the State and learned counsel for the informant have vehemently opposed the prayer for grant of bail to the petitioner. It is submitted that there is specific allegation of assault by means of *kudali* against the petitioner due to which the injured has succumbed to his injury. Hence, the petitioner does not deserve the privilege of bail.

6. Considering the aforesaid facts and circumstances of the case, nature of accusation and the gravity of the offence,



this Court is not inclined to grant bail to the petitioner.

7. The prayer is rejected. The trial Court is directed to expedite the Trial.

(Rudra Prakash Mishra, J)

Rajorshi/-

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