

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9696 of 2026

Arising Out of PS. Case No.-63 Year-2025 Thana- Chakia District- Begusarai

Kare Yadav @ Chandan @ Chandan Kumar S/o Suresh Yadav @ Ram Suresh
Yadav R/o vill - Bariyahi, P.S.- Chakiya, Distt.- Begusarai

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 11899 of 2026

Arising Out of PS. Case No.-63 Year-2025 Thana- Chakia District- Begusarai

Bablu Yadav @ Kanchan Yadav S/O Suresh Yadav @ Ram Suresh Yadav R/O
Vill.- Bariyahi,P.S- Chakia, Dist- Begusarai

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 9696 of 2026)
For the Petitioner/s : Mr.Kumar Binode Bariar, Advocate
For the Opposite Party/s : Mr.Ram Sumiran Rai, APP
(In CRIMINAL MISCELLANEOUS No. 11899 of 2026)
For the Petitioner/s : Mr.Kumar Binode Bariar, Advocate
For the Opposite Party/s : Mr.Ajay Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

4 07-04-2026 Heard learned counsel for the petitioners and

learned APP for the State.

2. The petitioners have prayed for regular bail in a

case registered for the offence punishable under sections 103

(1) and 3 (5) of the BNS.

3. Both the cases arise out of the same P.S. Case



Number and, as such, the same have been heard together and are being disposed of by this common order.

4. The case of the prosecution, in short, is that the son of the informant, namely Manav Kumar, had gone to pluck flowers. It is alleged that Kare Yadav, Raj Kumar Yadav and Bablu Yadav caught hold of him and confined him in a room. Thereafter, Suresh Yadav is alleged to have exhorted to kill him. Subsequently, the petitioner Kare Yadav allegedly knocked down the son of the informant and jumped on his stomach, while the petitioner Bablu Yadav @ Kanchan allegedly assaulted him with fists and kicks on his chest. The injured was immediately taken to Grace Hospital, where he was declared dead by the doctor.

5. Learned counsel for the petitioners submits that, from perusal of Annexure-3, which is a report issued by Grace Hospital, it is evident that the deceased was suffering from chronic liver disease due to viral Hepatitis B and C, and liver fibrosis had been advised. It is further submitted that, as per the prosecution case itself, the deceased was taken to Grace Hospital immediately after the alleged occurrence. From perusal of the prescription, as contained in paragraph 44 of the case diary, it appears that the doctor, who examined the patient for



the first time did not note any external injury on his person and only prescribed certain medicines along with USG of the whole abdomen.

6. Learned counsel for the petitioners submits that the deceased died due to pre-existing Hepatitis B and C, and not on account of the alleged assault. It is further contended that no such occurrence took place and, due to previous enmity, the petitioners have been falsely implicated in the present case.

7. Learned APP has vehemently opposed the prayer for bail and submits that, from perusal of the postmortem report, it transpires that the deceased had certain injuries on his person, namely a bruise measuring $\frac{1}{2}$ " x $\frac{1}{2}$ " on the left shoulder. The doctor conducting the autopsy found the following on the body of the deceased: (i) Intracath in situ

(ii) Puffiness of face

(iii) Free mobility of neck

(iv) Bruise measuring $\frac{1}{2}$ " x $\frac{1}{2}$ " on the left shoulder

8. However, the doctor did not find any injury on the stomach or chest, as alleged by the prosecution.

9. Considering the aforesaid facts and circumstances of the case, this court is inclined to enlarge the petitioners on



bail. The above named petitioners are directed to be released on bail in connection with Chakiya P.S. Case No. 63 of 2025 on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai.

(Ashok Kumar Pandey, J)

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