

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14537 of 2026

Arising Out of PS. Case No.-201 Year-2024 Thana- Kavaiya District- Lakhisarai

Bharat Kumar @ Bharat Yadav S/o Raj Kumar Yadav @ Sadhu D.J. Resident
of Village- Pachna Road Sansar Pokhar, P.S.- Kabayia, Dist.- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Kumar Sharma, Advocate

For the Opposite Party/s : Mr. Yogendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 15-04-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for grant of regular bail in connection with a case registered for the offences punishable under Sections 190, 191, 103, 118, 238, 61(2), 62 and 123 of the BNS.

3. The case of the prosecution, in short, is that the deceased had gone to his matrimonial house, where, due to some matrimonial dispute, he was allegedly killed by his in-laws.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the present case. It is further submitted that the occurrence is alleged to have taken place on 05.09.2024, whereas the



complaint was filed on 11.09.2024, i.e., with a delay of six days, which remains unexplained. It is further submitted that, during the course of investigation, it has transpired that the deceased was initially taken to a hospital and thereafter referred to Rajeshwar Hospital, Patna. It is further submitted that the petitioner and others, in their defence statements, have stated that the deceased had consumed poison.

5. It is also contended that from perusal of the complaint petition, it appears that the deceased was assaulted; however, there is nothing on record to show that the petitioner either assaulted the deceased or administered poison to him. It is further submitted that the doctor conducting the post-mortem examination found only one bruise on the body of the deceased and preserved the viscera. The FSL report indicates that zinc phosphide was detected in the dark brown fluid. Zinc phosphide is a severe gastrointestinal irritant commonly used as a rat poison. Moreover, the petitioner is languishing in judicial custody since 24.10.2025 having no criminal antecedent.

6. Learned counsel appearing for the informant has vehemently opposed the prayer for bail and submitted that, during the course of investigation, as stated in paragraph 35 of the case diary, one witness, Raja Ram, has stated that he had



gone to Rajeshwar Hospital where the deceased allegedly told him that poison had been administered to him. It is submitted that this statement may be treated as a dying declaration. However, even from the statement of the said witness, it is not clear as to who had administered the poison.

7. Considering the aforesaid facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. Accordingly, the petitioner is directed to be released on bail in connection with Kavaiya P.S. Case No. 201 of 2024, on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each, to the satisfaction of the learned Chief Judicial Magistrate, Lakhisarai.

(Ashok Kumar Pandey, J)

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