

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25661 of 2026

Arising Out of PS. Case No.-1053 Year-2025 Thana- NAWADA District- Nawada

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Upendra Prasad Son of Rameshwar Prasad R/O Village- Bhadauni, P.S.-
Nawada (Nagar), District- Nawada Petitioner/s

Versus

The State of Bihar BIHAR Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Hriday Narayan Harshit, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 18-04-2026 Heard learned counsel for the petitioner and learned

APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 103 (1), 123 and 238 of the BNS.

3. The case of the prosecution, in short, is that the petitioner has killed the minor daughter of the informant.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in connection with the present case. It is further submitted that, from a perusal of the FIR, it is evident that the informant is not an eyewitness, and the allegation against the petitioner is that he has forcefully administered sulphur. It is further submitted that Annexure P-3, which is the indoor ticket of Sadar Hospital, Nawada, indicates that on 06.10.2025 at 5:40 P.M., the daughter of the informant was suffering from loose motion, vomiting for one day, and abdominal pain. It is also disclosed that the patient



was in shock on the same day. Subsequently, she died, and the doctor has opined that the cause of death was cardio respiratory failure. It is further submitted that there is matrimonial discord between the informant and the petitioner, due to which the present case has been instituted. The annexures filed on behalf of the petitioner indicate that the death was natural. It has also been submitted that the police have submitted final form, and the learned trial court has taken cognizance; however, cognizance is not material for consideration of bail. The petitioner is in custody since 09.10.2025.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Considering the aforesaid facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Nawada Nagar P.S. Case No. 1053 of 2025 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nawada.

(Ashok Kumar Pandey, J)

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