

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36161 of 2026

Arising Out of PS. Case No.-20 Year-2026 Thana- BASANHI District- Saharsa

Vikas Kumar @ Vikas Yadav Son of Ratan Yadav Resident of Village - Mokma, Ward No. 08, P.S.- Basnahi, District - Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Pramod Mishra, Advocate
For the State	:	Mr. Anish Chandra, APP
For the Informant	:	Mr. Amarnath Jha, Advocate

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 09-06-2026 Heard Mr. Pramod Mishra, learned counsel for the petitioner, Mr. Anish Chandra, learned APP for the State and Mr. Amarnath Jha, learned counsel for the informant.

2. The petitioner seeks bail in a case registered for the offence punishable under Sections 126(2), 115(2), 109(1), 351(2), 352 and 3(5) of the B.N.S. and subsequently Sections 74 and 105 of the B.N.S. has been added.

3. As per the prosecution case, the allegation against the petitioner is that he pushed the informant's mother due to which she fell down and sustained injury and later on she died.

4. Learned counsel for the petitioner submits that it would be evident from the First Information Report itself that



an altercation had taken place between the family of the informant and the petitioner and subsequently when the mother of the informant was coming, this petitioner had pushed her on the ground due to which she sustained an injury on her head, whereafter, she was admitted in the hospital. On the basis of such report, the F.I.R was instituted initially under Section 109 of the BNS, but subsequently during the course of investigation the mother of the informant, who was an old lady of 65 years of age, died after three days of treatment, as such, Section 105 of the BNS was also added. It is clear that there could have been no intention to cause the death of the deceased and informant himself was not an eye-witness to the occurrence. Further, for an occurrence which took place on 01.02.2026, the F.I.R was lodged on 03.02.2026 and the postmortem report, which is Annexure-P/2, indicates that there was no visible external injury present on the person of the deceased. Petitioner is in custody since 15.04.2026 with no criminal antecedent.

5. Learned APP for the State and learned counsel for the informant have opposed the grant of bail of the petitioner on the ground that petitioner was the person who had pushed the deceased.

6. Taking into consideration the facts and



circumstances and also considering the nature of allegation which does not indicate any intention to cause the death of the deceased, let the above named petitioner, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned J.M., Saharsa/concerned Court below in connection with Basnahi P.S. Case No. 20 of 2026.

(Soni Shrivastava, J)

Anand/Ayush/-

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