

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49866 of 2025

Arising Out of PS. Case No.-530 Year-2024 Thana- PANCHRUKHI District- Siwan

Devbali Yadav S/O Late Tapeshtar Yadav @ Tapeshtar Yadav Resident of
Village- Jasauli Kharg, P.S. - Pachrukhi, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Bijay Prakash Singh, Advocate
For the State	:	Mr. Umanath Mishra, APP
For the Informant	:	Mr. Ajay Kumar Tiwary, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 16-03-2026 Heard Mr. Bijay Prakash Singh, learned counsel for
the petitioner, Mr. Umanath Mishra, learned APP for the State
and Mr. Ajay Kumar Tiwary, learned counsel for the informant.

2. The petitioner seeks bail, who is in custody since
24.01.2025, in connection with Panchrukhi P.S. Case No. 530 of
2024, F.I.R. dated 15.11.2025 registered for the offence
punishable under Sections 126(2), 115(2), 117(2), 109, 303(2),
324 (4), 352, 351(2), 3(5) of the B.N.S., 2023 and vide order
dated 16.11.2024, section 103(1) of the B.N.S., 2023 was added.

3. As per prosecution case, allegation against the
petitioner and other accused persons are of assault to the
informant and his family members. There is specific allegation
against this petitioner is assault to the son of the informant with



iron rod upon his head due to which he died during course of treatment.

4. Learned counsel appearing for the petitioner submits that the petitioner is innocent and has committed no offence as alleged in the FIR. From perusal of the FIR, it appears that due to some petty dispute, the present occurrence has taken place. Although, the specific allegation against the petitioner is that he has assaulted the son of the informant and other family members of the informant but there was no intention to kill anyone. Apart from the aforesaid, the date of occurrence as alleged in the FIR is 12.11.2024 but the present FIR has been instituted on 15.11.2024 after delay of three days without giving any explanation for such delay and the son of the informant was injured on 12.11.2024 but he has died on 16.11.2024 which suggests that he has not died on the date of the occurrence. The petitioner is in custody since 15.04.2025.

5. Learned counsel for the State as well as learned counsel for the informant have vehemently opposed the prayer for bail and submits that it appears from the FIR that there is direct and specific allegation of assault attributed against the petitioner that he has assaulted the son of the informant by means of iron rod and he has received the head injury and the



postmortem report of the deceased (son of the informant) suggest that cause of death is hemorrhagic shock due to above-mentioned injury caused by hard and blunt object.

6. Vide order dated 06.02.2026, a report was called for with regard to stage of trial. Report dated 11.02.2026 of the trial court reveals that charge has been framed against the petitioner on 16.07.2025 and out of 12 prosecution witnesses, 2 witnesses have been examined which suggest that the trial is going on.

7. Considering the aforesaid facts and circumstances of the case and nature of allegation against the petitioner, I am not inclined to enlarge the petitioner on bail in connection with Panchrukhi P.S. Case No. 530 of 2024, pending in the court of learned Chief Judicial Magistrate, Siwan.

8. Prayer is refused.

9. However, the learned Trial Court is directed to expedite the trial and conclude the same at the earliest.

(Rajesh Kumar Verma, J)

Ranjeet/-

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