

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.56436 of 2025**

Arising Out of PS. Case No.-78 Year-2024 Thana- GAMAHARIYA District- Madhepura

1. Shambhu Yadav @ Rohit Yadav @ Shambhu Prasad @ Shambhu Pd. Yadav  
Late Jitu Yadav @ Laltun Yadav R/o Village- Jogbani, P.S.- Gamhariya,  
District- Madhepura.
2. Laltu Yadav @ Laltun Yadav @ Laltu Kumar Son of Late Jitu Yadav @  
Laltun Yadav R/o Village - Jogbani, P.S. - Gamhariya, Dist. - Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Pramod Rajpati, Adv.

Mr. Sama Akhtar, Adv.

For the Opposite Party/s : Mr.Nawal Kishore Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR**  
**ORAL ORDER**

5      21-01-2026              Heard learned counsel for the petitioners and learned APP  
for the State.

2. The petitioners are apprehending their arrest in connection with Gamhariya P.S. Case No. 78 of 2024 dated 13.05.2024 registered for the offence punishable under Sections 302/34 of the Indian Penal Code.

3. As per prosecution case, allegation against the accused persons including the petitioners is of brutally assaulting the Informant's nephew, namely, Kundan Kumar by means of *lathi-danda* due to which he sustained grievous injury and, later on, he died in course of his treatment.

4. Learned counsel for the petitioners submits that out of total six named accused, against four of them, nothing is said to



have been found and they have not been sent up for trial, while charge-sheet has been submitted against rest of the two co-accused persons, namely, Shambhu Yadav @ Rohit Yadav & Shambhu Pd. Yadav (petitioner no.1) and Laltu Yadav @ Laltun Yadav @ Laltu Kumar (petitioner no.2). It is next submitted that Laltu Yadav @ Laltun Yadav @ Laltu Kumar (petitioner no.2) has already been taken into custody, while the allegations are general and omnibus in nature.

5. It is next submitted that the wife of deceased has also filed an affidavit before the Additional Chief Judicial Magistrate, Madehpura, wherein, with respect to the nature of injury, which is said to have been sustained by her husband, it has been stated that her husband slipped on the floor owing to which the injury, in question, is said to have been sustained.

6. On the other hand, learned APP for the State has opposed the prayer for bail of the petitioners.

7. Be that as it may, since the allegations are general and omnibus in nature and there is nothing specific against the petitioner no.1, whereas the petitioner no.2, against whom the charge-sheet is said to have been filed, has already been taken into custody, let the petitioner No.1, Shambhu Yadav @ Rohit Yadav @ Shambhu Prasad @ Shambhu Pd. Yadav be released



on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, 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 Chief Judicial Magistrate, Madhepura in connection with Gamhariya P.S. Case No. 78 of 2024, subject to the conditions as laid down under Section 482(2) of the B.N.S.S.

(Ajit Kumar, J)

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