IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69202 of 2026

CNR No. BRHC010981002026

Arising Out of PS. Case No.-95 Year-2025 Thana- SISWAN District- Siwan

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1. Chandan Kumar Yadav @ Chandan Yadav S/o Shivji Yadav @ Sewjee Chowdhury R/o Village - Mahanagar, P.S - Siswan, District - Siwan
2. Nandan Kumar Yadav @ Nandan Yadav S/o Shivji Yadav @ Sewjee Chowdhury R/o Village - Mahanagar, P.S - Siswan, District - Siwan
3. Ankit Kumar Yadav @ Ankit Yadav S/o Shankar Yadav R/o Village - Mahanagar, P.S - Siswan, District - Siwan

... ... Petitioner/s

Versus

The State of Bihar.

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Priyanshu Kumar Singh, Advocate
For the Opposite Party/s : Mr. Ram Naresh Ray, APP

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR

ORAL ORDER

3 30-10-2026 Heard learned Advocate for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest in connection with Siswan P.S. Case No.95 of 2025 registered for the offences punishable under Sections 103 & 3(5) of the BNS.

3. Allegedly, on the given date and time of the occurrence, while the informant, accompanied by her friend Arun Kumar, was travelling on a motorcycle, the petitioners, who were also riding motorcycles, arrived there and deliberately dashed their motorcycles against the motorcycle of the informant, causing them to fall. It is further alleged that,

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thereafter, the petitioners, armed with iron rods, assaulted the informant's friend, Arun Kumar, inflicting serious injuries upon him. The injured was initially taken to a hospital for treatment and was subsequently referred to P.M.C.H., Patna, where he eventually succumbed to his injuries.

4. Learned Advocate for the petitioners submitted that, in connection with an occurrence allegedly taking place on 14.03.2025, the present F.I.R. came to be instituted on 17.03.2025, without there being any plausible explanation for the delay in the institution. Referring to Annexure-2 to the bail application, it is contended that the occurrence was, in fact, a case of road traffic accident, in respect of which an intimation was also furnished to the In-charge Medical Officer, Referral Hospital, Siswan, Siwan. It is further submitted that the deceased, Arun Kumar, as well as Roshni Kumari, were examined by the Medical Officer, and the nature of the occurrence was recorded as a road traffic accident. This fact, according to learned Advocate, also stands corroborated by Annexure-4 to the bail application. Drawing the attention of this Court to the post-mortem report, learned Advocate for the petitioners further submitted that the deceased had sustained three external injuries, namely, one over the right leg, another

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over the hand, and an abrasion over the back, apart from a fracture of the occipital bone. It is contended that the nature and location of the injuries are consistent with a road traffic accident rather than the alleged assault. Learned Advocate further submitted that the petitioners have been falsely implicated on account of previous enmity between the parties. It is also contended that, upon realizing the true nature of the occurrence, the informant herself filed an application before the learned Court below stating that the death of the deceased was the unfortunate consequence of a road traffic accident and not an act of assault, as alleged in the F.I.R.

5. On the other hand, learned Advocate for the state vehemently opposes the bail application and submits that there is a specific accusation of causing assault to the deceased, besides petitioner Nos.1 & 3 are carrying one criminal antecedent each.

6. Considering the rival submissions advanced by learned Advocates for the respective parties and taking note of the materials available on record which *prima facie* suggests that it was a case of road accident which resulted into an unfortunate death of the deceased, let the above named petitioners, be released on bail, in the event of their arrest or

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surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) **each** with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-V, Siwan in connection with Siswan P.S. Case No.95 of 2025, subject to the condition as laid down under Section 482(2) of the BNSS, with further condition that one of the bailors shall be the own/close family members of the petitioners.

(Harish Kumar, J)

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