

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78833 of 2025

Arising Out of PS. Case No.-23 Year-2024 Thana- Pastpar Pusthi District- Saharsa

Kailash Yadav S/O Shri Akhleshwari Yadav R/O Village- Jalaiya, Ward No. 01, P.S.- Pastpar, Distt.- Saharsa852107

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 79099 of 2025

Arising Out of PS. Case No.-23 Year-2024 Thana- Pastpar Pusthi District- Saharsa

Satyam Yadav @ Satyam Kumar S/O Shri Digamber Yadav R/O Village- Jalaiya Ward No, 01, P.S.- Pastpar, Distt- Saharsa 852107

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 78833 of 2025)

For the Petitioner/s : Mr.Navin Prasad Singh, Advocate

Mr. Narayan Singh, Advocate

For the Opposite Party/s : Mr.Upendra Kumar, A.P.P.

Mr. Amarnath Jha, Advocate

(In CRIMINAL MISCELLANEOUS No. 79099 of 2025)

For the Petitioner/s : Mr.Navin Prasad Singh, Advocate

Mr. Narayan Singh, Advocate

For the Opposite Party/s : Mr.Uma Shankar Prasad Singh, A.P.P.

Mr. Amarnath Jha, Advocate

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

4 06-02-2026 Heard learned counsel for the petitioners and learned APP for the State as also learned counsel for the informant. Perused the case diary.

2. The petitioners seek bail in connection with Pastpar P.S. Case No. 23 of 2024 instituted for the offence under Sections 126(2), 115(2), 118(2), 303(2), 109, 333, 352, 351(3)



& 3(5) of the Bharatiya Nyaya Sanhita (BNS), 2023.

Subsequently, Section 103(1) of the BNS was added.

3. As per the prosecution case, petitioners along with other co-accused persons have assaulted the informant as well as the family members of the informant in which father of the informant was severely injured and during the course of treatment, he died.

4. It has been submitted on behalf of the petitioners that the petitioners are in custody since 22.05.2025 and 11.06.2022, respectively. The petitioner in Criminal Miscellaneous No. 78833 of 2025 bears one criminal antecedent, whereas petitioner in Criminal Miscellaneous No. 79099 of 2025 bears no criminal antecedent.

5. It has been further submitted by the petitioner's counsel that petitioners have been falsely implicated in the present case. It is submitted that there is no specific allegation attributed to the petitioners, rather there is general and omnibus allegation levelled against them. Learned counsel next submits that no incriminating articles has been recovered from the possession of the petitioners. It is submitted that during medical treatment father of the informant died and cause of the death is hemorrhage and shock, but is is not clear from the FIR as well



as the case diary that who has beaten him due to which he was severely injured. Police after completion of investigation has submitted charge sheet in this case.

6. Learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the prayer for grant of bail to the petitioner. They submits that petitioner along with other have assaulted the informant's father with butt of the pistol due to which he became unconscious and fell down on the ground and during treatment, he died.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioners, there being no specific allegation against the petitioner and charge sheet being submitted, this Court is inclined to grant bail to the petitioners.

8. Let the petitioners be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Pastpar P.S. Case No. 23 of 2024, subject to the following conditions:

(I) One of the bailors shall be the petitioner's own or close member.

(II) The petitioner shall appear on each and every date fixed during the trial and shall not remain absent on two



consecutive dates without sufficient cause.

(III) The petitioner shall not tamper with the prosecution evidence or influence/intimidate any witness during the course of trial.

In case of violation of any of the aforesaid conditions, the Trial Court shall be at liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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