

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82637 of 2025

Arising Out of PS. Case No.-130 Year-2025 Thana- DHARHARA District- Munger

Santosh Yadav S/o Late Umesh Yadav Resident of Village- Nayatola Matadih,
P.S.- Dharhara, District- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Krishna Pd. Singh, Sr. Adv. Mr. Shashi Saurabh, Adv.
For the State	:	Mr. Nirmala Kumari, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 18-02-2026 Heard Mr. Krishna Pd. Singh, learned senior counsel
for the petitioner and learned Additional Public Prosecutor for
the State.

2. The petitioner seeks bail in a case registered for the
offence punishable under Sections 103(1), 3(5) of the Indian
Penal Code.

3. Petitioner along with other accused persons are said
to have assaulted the husband of the informant with rod as a
result of which he died.

4. Learned senior counsel for the petitioner submits
that although the informant is trying to give an eye witness
account of the entire occurrence in the First Information Report
but the material collected during the course of investigation
narrates a different story, as from paragraphs 10 and 11 of the



case diary, it would appear that the witnesses who have been examined have stated clearly that the daughter of the deceased stated that at 7:00 p.m., her father was not picking up the phone and it is only after that the son of the deceased went for search that the dead body of the deceased was found in the field. It also transpires that they have only expressed a suspicion on the petitioner and others as there had been a dispute between them. There is no other material collected during the course of investigation to establish the complicity of the petitioner but for a suspicion raised against him. Even according to the First Information Report, the petitioner was armed with a firearm which was never used as even at the end of the FIR it has been stated that co-accused Munna Yadav had fired but that too did not hit and the postmortem report indicates several injuries on the persons of the deceased but they are all in the nature of abrasion and swelling which have been caused by hard and blunt object. The petitioner is in custody since 23.07.2025 and the charge-sheet has been submitted. The petitioner has no criminal antecedent and he undertakes to appear on each and every date fixed in the case.

5. Learned APP for the State has opposed the application for bail.



6. Taking into consideration the facts and circumstances and also considering the fact that the case basically rests on suspicion and there is no eye witness to the case even during the course of investigation, let the above named petitioner, be enlarged 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 court below where the case is pending/successor court in connection with Dharhara P.S. Case No. 130 of 2025, subject to the conditions that the petitioner shall appear on each and every date fixed in the case and would also cooperate in getting the charges framed and if the petitioner does not appear on two consecutive dates without any substantial and satisfactory reason, the learned court below would be at liberty to cancel his bail bonds.

(Soni Shrivastava, J)

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