

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87914 of 2025

Arising Out of PS. Case No.-102 Year-2025 Thana- SALAKHUA District- Saharsa

1. Niranjan Yadav Son of Kapurchand Yadav Resident of Village- Salkhua Dih, Ward No 10, PS- Salkhua District- Saharsa
2. Kishor Yadav Son of Kapurchand Yadav Resident of Village- Salkhua Dih, Ward No 10, PS- Salkhua District- Saharsa

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr. Shekhar Kumar Singh, Advocate
For the Opposite Party/s	:	Mr. Awadhesh Kumar Singh, A.P.P.
For the Informant	:	Mr. Ashok Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 30-03-2026 Heard learned counsel for the petitioners, learned counsel for the informant and learned Additional Public Prosecutor for the State.

2. Petitioners seek bail who is in custody since 24.06.2025 in connection with Salkhua P.S. Case No. 102 of 2025 for the offences punishable under Sections 191(2), 191(3), 190, 126(2), 115(1), 127(2), 117(2), 103(1), 74, 303(2), 352, 351(2) and 3(5) of BNS.

3. The prosecution story, in brief, is that on 23.06.2025 at about 06:30P.M when the informant was performing Sandhya Arti in her house then Mukesh Yadav came and said that you should settle the previous case otherwise they will kill the entire family today. With prior meeting of minds armed with weapons (1) Kishor Yadav, (2) Mukesh Yadav, (3) Niranjan Yadav, (4) Amit Yadav all sons of Kapurchand Yadav, (5) Kapurchand Yadav So Late Shivdhari Yadav, (6) Babita Devi W/o Kishor



Yadav, (7) Lakho Devi W/o Mukesh Yadav, (8) Savita Devi W/o Niranjana Yadav (9) Balkrishna Yadav (10) Anisha Devi W/o Kapurchand Yadav, (11) Anisha Devi's (12) Shambhu Yadav (13) Dilip Yadav came there and on seeing his younger son Rakesh Kumar, they all assaulted him and knocked down on the ground. Kishor Yadav beaten on his foot, Mukesh Yadav beaten on his hand, Niranjana Yadav beaten on his back and Amit Yadav beaten on his arm due to which he became unconscious. When she tried to rescue him then all of them caught her hair, dragged her and also beaten her. On hearing her sound nearby peoples came there thereafter all the accused persons fled away from there and threatened to face dire consequences. Upon receiving the information Salkhua P.S. arrived and sent her and her son to Salkhua PHC for treatment from where her son alongwith her sent to Sadar Hospital, Saharsa for better treatment. Her younger son Rakesh Kumar died on the way. When she reached the Hospital, she saw three gold rings from her neck were missing.

4. Learned counsel for the petitioners submits that the allegation as alleged in the FIR is forged and fabricated and the petitioners have not committed any offence as alleged in the FIR. Learned counsel for the petitioners submits that from bare perusal of the FIR it appears that FIR is in two parts, in the first



part there is general and omnibus allegation against the accused persons including the petitioners and in the second part there is direct and specific allegation against the petitioners that they have assaulted the son of the informant and he has died during his statement.

5. The learned Additional Public Prosecutor for the State and learned counsel for the informant, on the other hand, have vehemently opposed the prayer for bail of the petitioner and submit that there is a direct and specific allegation against the petitioners supported by the medical evidence and the cause of death is due to injury on the vital organs of the body caused by hard and blunt substance

6. Considering the aforesaid facts and circumstances, I am not inclined to enlarge the petitioners on bail in connection with Salkhua P.S. Case No. 102 of 2025 pending in the court of learned CJM, Saharsa.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

Gaurav Sinha/-

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