

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87924 of 2025

Arising Out of PS. Case No.-501 Year-2023 Thana- MADHEPURA District- Madhepura

Gajendar Yadav @ Gajendra Yadav S/o Late Baldev Yadav R/o vill -
Madanpur, Garib Tola, Ward No.08, P.S - Madhepura, Bharrahi, District -
Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Krishna Prasad Singh, Sr. Advocate Dr Sanjay Kumar Singh, Advocate
For the State	:	Mr. Sanjay Kumar Pandey, APP
For the Informant	:	Mr. Ram Prawesh Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 03-02-2026 Heard learned Senior counsel for the petitioner,
learned APP for the State and learned counsel for the informant.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under Sections 302 and 120B of the Indian Penal Code.

3. The case of the prosecution, in short, is that the husband of the informant has gone to the house of the petitioner and when the informant called on his mobile he informed that he will come after half an hour. It is further case of the prosecution that the informant fall asleep at 12:30 in the night. Anil Yadav, brother-in-law of the informant informed that the dead body of her husband is lying at Godhiyari. After this,



family members rushed to the place of occurrence wherein they found that the bike of the deceased was all well. The informant suspects that the petitioner along with others have killed her husband.

4. Learned counsel for the petitioner has submitted that from perusal of the post-mortem report it will transpire that the cause of death is accident but there is report of FSL which goes to show that the death is not due to accident and it is not a road accident.

5. Learned counsel for the informant has vehemently opposed the bail and has submitted that during course of investigation the I.O. has collected the CDR of the mobile of the deceased and from the CDR of the mobile it is clear that the tower location of the deceased and that of the petitioner was at same place. Learned counsel for the informant has mainly relied on the conclusion of the Regional Forensic Science Laboratory, Bhagalpur regarding the crime scene report which has concluded that **“after investigating the case and taking all the possible situations we came to the conclusion on the prima facie firmly that the cause of the death of the mortorcyclist could not be the road accident”**.

6. Having heard learned counsel for the parties and



considering the facts and circumstances of the case, I am not inclined to grant bail to the petitioner at this stage, however, he may renew his prayer for bail after six months if the trial is not concluded.

(Ashok Kumar Pandey, J)

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