

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19191 of 2018

Arising Out of PS.Case No. -184 Year- 2017 Thana -BALRAMPUR District- KATIHAR

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1. Farjun Yadav, Son of Bachcha Yadav, Resident of Village - Fatehpur,
P.S. Balrampur (Telta), District - Katihar.

.... Petitioner

Versus

1. The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Birendra Kumar

For the Opposite Party/s : Smt. Nirmala Kumari

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 19-07-2018

Heard learned counsel for the petitioner and

learned APP for the State.

Petitioner seeks bail in a case registered for the
offence punishable under Section 302 of the Indian Penal Code.

Petitioner is suspected to have committed murder
of his wife. The petitioner was arrested in this case on the date of
occurrence itself and he confessed before the police that he has
committed the murder by cutting the throat of the wife for the
reason that she was in relationship with some other person. On the
confession of the petitioner, the knife used was recovered from
nearby place where the dead body was recovered on the same day.

Submission is that there is no witness of the
occurrence nor there is other material to substantiate the allegation
against the petitioner, save and except, the confessional statement



before the police while in police custody which is no evidence in the eye of law. Moreover, the petitioner has got no criminal antecedent and is in custody since 07.10.2017.

Considering the entire material aforesaid, let the petitioner, above named, be released on bail **after framing of the charge or completion of one year of custody whichever is earlier** on furnishing bail bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Balrampur (Telta) Police Station Case No. 184 of 2017, subject to the condition that the petitioner shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner as well as condition that both the bailors shall be resident of within the territorial jurisdiction of the learned court below.

(Birendra Kumar, J)

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