

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14792 of 2020**

Arising Out of PS. Case No.-244 Year-2019 Thana- MADANPUR District- Aurangabad

DURGA YADAV S/o Late Rajendra Yadav Resident of Village- Chatara, P.S.-
Phesar, Distt- Aurangabad.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bachan Jee Ojha, Adv

For the Opposite Party/s : Mrs.Dr. Indihar Kumari, APP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 03-03-2020 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in a case registered for the offences punishable under Sections 302/34, 120(B) of the I.P.C and 27 Arms Act.

The FIR of the occurrence of murder is against unknown. During investigation, the petitioner confessed before the police about his guilt and involvement of others in the occurrence. Petitioner is in custody since 22.11.2019. Investigation of the case is already complete. There is no material to substantiate that petitioner is going to tamper with the evidence or hamper the trial.

Since only material against the petitioner is confession before the police while in police custody which



cannot be proved in view of the bar under Sections 25 and 26 of the Evidence Act, hence, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (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 Madanpur P.S. Case No.244 of 2019, subject to the condition that both bailors shall be resident of territorial jurisdiction of the learned court below and further the petitioner shall fully cooperate with the trial of the case as well as the petitioner shall not leave the country without permission of the learned Trial Court, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

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