

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18113 of 2020**

Arising Out of PS. Case No.-41 Year-2016 Thana- AAJAM NAGAR District- Katihar

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BHARAT KUMAR YADAV @ BHARAT YADAV, aged about 35 years,
Male, S/o Late Budhdeo Yadav, Resident of Village- Azam Nagar, P.S.- Azam
Nagar, Distt- Katihar.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr.Vinay Ranjan, Advocate.

For the Opposite Party : Mrs.Anita Kumari Singh, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER**

3 19-10-2020 Due to COVID-19 Pandemic, the matter is being
taken up by way of virtual Court proceeding.

The matter has been listed under the heading ‘For
Orders’ under the orders of Hon’ble the Chief Justice.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in a case for the offence
registered under Section 302 of the I.P.C.

The prosecution story, in brief, is that in the night of
13.02.2016, the petitioner intimated the informant on Mobile
that his sister is serious and instantly switched off the Mobile.
Again, the informant asked the petitioner, upon which, he stated
that his sister had died. It is also alleged that the petitioner was



not well behaved with his wife and he also sold out some land in favour of another lady and the petitioner had illicit relation with another lady.

Earlier the four bail applications of the petitioner were rejected vide Cr. Misc. No. 26633 of 2016 under order dated 29.08.2016, Cr. Misc. No. 33408 of 2017 under order dated 02.08.2017, Cr. Misc. No. 42148 of 2018 under order dated 09.08.2018 and Cr. Misc. No. 23868 of 2019 under order dated 03.07.2019 by this Court taking into account that the petitioner is the husband of the deceased, annexed as Annexure-1 series to the present application.

This is the fifth attempt on behalf of the petitioner for grant of bail.

A report was called for from the learned court below regarding the present stage of the case. It has been reported that the trial has not been concluded till date.

It has been submitted by learned counsel for the petitioner that the petitioner is in custody since 14.02.2016. The petitioner has got no criminal antecedent. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. There



is no eye witness to the alleged occurrence. The petitioner has been made accused in the present case merely on the basis of suspicion. He has remained in custody for more than 4 ½ years. There is no chance of trial being concluded in near future.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the facts and circumstances of the case, the petitioner above named, is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned F.T.C.-1, Katihar, in connection with Sessions Trial No. 237/2016, arising out of Azam Nagar P.S. Case No. 41 of 2016.

(Sudhir Singh, J)

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