

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25085 of 2021

Arising Out of PS. Case No.-75 Year-2019 Thana- KHAJAU LI District- Madhubani

Nand Kishore Yadav, Son of Phul Deo Yadav, resident of Village-Enarba, P.S.
- Khajauli, Distt. - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Devendra Kumar Sinha, Sr. Adv
Mr. Ravi Prakash, Adv

For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH
ORAL ORDER

3 25-08-2021 This matter has been taken up for hearing

online because of COVID-19 pandemic restrictions.

Heard learned counsel for the parties.

This application for grant of regular bail arises

out of Khajauli P.S. Case No. 75 of 2019 (S.Tr No. 18

of 2020) registered for the offence punishable under

Sections 364, 302, 34 of the Indian Penal Code.

The petitioner has renewed his prayer for

regular bail which was earlier rejected by an order dated

30.06.2020 passed in Cr. Misc. No. 16133 of 2020.

Allegedly he killed the deceased with whom he had

amorous relationship.



Learned senior counsel appearing on behalf of the petitioner has submitted that confessional statement of the petitioner and other co-accused persons is the only material against the petitioner. He has submitted that co-accused Sanjay Kumar Yadav has been granted regular bail by this Court by an order dated 01.12.2020 passed in Cr. Misc. No. 29233 of 2020. The petitioner is in custody since 16.10.2019 and till date, no witness has been examined, though charge has been framed.

A report was called for from the Court below as regards the present stage of the trial from which it appears that examination of the witnesses has not begun.

Considering the facts and circumstances noted above, particularly the fact that there is no likelihood of conclusion of trial in near future, this application is allowed.

Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten



Thousand) with two sureties of the like amount each to
the satisfaction of the learned A.C.J.M-II, Benipatti,
Madhubani, in Khajauli P.S. Case No. 75 of 2019.

(Chakradhari Sharan Singh, J)

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