

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52800 of 2023

Arising Out of PS. Case No.-26 Year-2023 Thana- BANDHUWA KURAWA District- Banka

KULDEEP YADAV S/O LATE NAND KISHOR YADAV R/O VILLAGE-
CHETAWARAN, P.S- BANDHUA KURABA, DISTT.- BANKA.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Nurul Hoda, Adv.

For the Opposite Party/s : Mr. Prem Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 22-08-2023 1. Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner, who is in custody since 27.03.2023 seeks
bail, in connection with Bandhua Kuraba P.S. Case No.26/2023,
dated 16.03.2023, for the offences punishable under Sections
302, 34 of the IPC.

3. According to prosecution case, the petitioner along
with other co-accused persons are alleged to have killed the
daughter of the informant and thereafter hanged the dead body
of the daughter of the informant.

4. Learned counsel for the petitioner submits that the
petitioner has clean antecedent and he has falsely been
implicated in the present case. He further submits that the
allegation as alleged in the F.I.R. is false and fabricated and the



petitioner has not committed any offence as alleged in the F.I.R. He further submits that the petitioner performed the marriage with the victim 15 years ago and from perusal of the F.I.R., it appears that there is no specific allegation of any assault or overt act attributed against the petitioner and the police after investigation submitted the charge sheet against the petitioner under Section 306 of the Indian Penal Code. The petitioner is in custody since 27.03.2023.

5. Learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances, 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 C.J.M., Banka in connection with Bandhua Kuraba P.S. Case No. 26/2023, subject to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.



2. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

3. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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