

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.439 of 2024

Arising Out of PS. Case No.-168 Year-2023 Thana- KALUAHI District- Madhubani

Badri Narayan Yadav @ Badri Yadav @ Badri Biraji S/O Late Yogendra Birai
@ Yogendra Yadav Village- Parwa, P.S- Jaynagar, Distt.- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Prakash, mr. Gagan Deo Yadav

For the Opposite Party/s : Mr.Sanjay Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 06-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 302, 201/34 of the Indian Penal Code and Section 27 of Arms Act.

3. As per prosecution case, it is alleged that an unidentified dead body was recovered which was killed and thrown by the miscreants with an intention to wipe out the evidence.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The petitioner is not named in the FIR. After recovery of the dead body, a written application was given by the wife of the deceased in which she raised suspicion against the petitioner



along with others regarding commission of murder of her husband. On the basis of which, the petitioner has falsely been implicated in this case. The petitioner was arrested and confessed his guilt but he confession before police is not admissible in the eye of law. No one is eye witness of the alleged occurrence. Except suspicion, no any consistent evidence has come against the petitioner. It is further submitted that the petitioner is languishing in judicial custody since 10.8.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail and submitted that the petitioner has got seven criminal antecedents.

6. Considering the facts and circumstances of the case as well as custody period, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Kaluahi P.S. Case No. 168 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM-I, Madhubani.

(Sunil Kumar Panwar, J)

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