

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2239 of 2025

Arising Out of PS. Case No.-1 Year-2024 Thana- CHAKARANDHA P.S. District- Gaya

Binod Yadav S/o Lakhan Yadav Resident of Village- Chauritand, P.S.-
Chhakarbandha, District- Gaya

... .. Appellant/s

Versus

1. The State of Bihar
2. Daulati Devi W/o Late Kaplesh Mandal R/o vill - Fulwaria, P.S.- Maigra,
Distt.- Gaya

... .. Respondent/s

Appearance :

For the Appellant/s : Md. Javed Jafar Khan, Advocate

For the Respondent/s : Mr. Sadanand Paswan, Spl. Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 26-09-2025 Despite filing *Vakalatnama*, none appears on behalf
of the respondent no. 2.

2. Heard learned counsel for the appellant and learned
Spl. Public Prosecutor for the State.

3. The present appeal has been filed for setting aside
the order dated 25.04.2025 passed in B.P. No. 928 of 2025 by
learned Exclusive Special Judge, SC/ST, Gaya in connection
with Chakarbandha P.S. Case No. 01 of 2024 for the offences
under Sections 302, 201/34 of the Indian Penal Code and
Sections 3(i)(r)(s), 3(2)(v) of the SC/ST (POA) Act whereby and
whereunder the prayer of the appellant for regular bail has been
rejected.



4. As per the prosecution case, informant suspects that co-accused Puna Yadav and Yogesh Yadav killed her husband and threw his dead body in jungle in order to destroy the evidence.

5. Learned counsel for the appellant submits that appellant is not named in the F.I.R. and his name transpired during course of investigation on the basis of confessional statement of co-accused. The only material that has come during course of investigation is that this appellant had conversation with one of the co-accused persons prior to the alleged incident. Save and except this, there is no other material to show complicity of the appellant in the present case. It is further submitted that similarly situated co-accused, namely, Suchit Kumar has already been granted regular bail by this Hon'ble Court *vide* order dated 05.08.2025 passed in Cr. Appeal (SJ) No. 3704 of 2024. Appellant claims clean antecedent and is in custody since 19.10.2024.

6. Learned Spl. Public Prosecutor for the State vehemently opposed the bail application.

7. Considering the nature of accusation, period of custody and clean antecedent, this Court sets aside the impugned order and directs the release of above named



appellant on bail on furnishing bail-bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, SC/ST, Gaya in connection with Chakarbandha P.S. Case No. 01 of 2024.

(Prabhat Kumar Singh, J)

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