

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52448 of 2025

Arising Out of PS. Case No.-369 Year-2024 Thana- BANKA District- Banka

Binod Barbayak @ Binod Badbayak S/o- Kailash Badbayak @ Kailash
Badwayak Resident Of village- Choubaliaa, Ps- Banka, Dist- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Praveen Kumar, Advocate Mr. Ravi Prakash Dwivedi, Advocate Mr. Saurabh Raj, Advocate
For the Opposite Party/s :		Mr. Navin Kumar Pandey, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 19-09-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Petitioner seeks regular bail in connection with
Banka P. S. Case No. 369/2024 in a case registered for the
offences punishable under Sections 130(1), 238, 61(2) of the
Bharatiya Nyaya Sanhita.

3. As per F.I.R., allegation against petitioner is that
husband of the informant went with this petitioner on
29.08.2024 but did not return. On 30.09.2024, dead body of the
husband of informant was found in Dudhro river. Informant
suspects that this petitioner along with all the F.I.R. named
accused persons killed her husband.

4. Learned counsel for the petitioner submits that



informant is not an eye witness of the alleged occurrence and only suspicion has been raised against petitioner. At best, it is a case of last seen with the deceased, based on circumstantial evidence. Petitioner is in custody since 01.09.2024. Petitioner claims clean antecedent.

5. Learned A.P.P. for the State vehemently opposes the bail application.

6. Considering the aforesaid facts and circumstances of the case and period of custody, the bail application is allowed. Let the above named petitioner 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 Chief Judicial Magistrate, Banka in connection with Banka P. S. Case No. 369/2024.

(Prabhat Kumar Singh, J)

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