

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53394 of 2025

Arising Out of PS. Case No.-27 Year-2022 Thana- BHADAUR District- Patna

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Baiju Kumar@ Baiju Yadav S/o Late Suresh Yadav Resident of Kazichak,
Ward no. - 24, Nagar Parishad Barh, P.S. - Barh, Dist.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mrs. Nivedita Nirvikar, Sr. Advocate
		Ms. Shash Priya, Advocate
		Mr. Arya Achint, Advocate
		Mr. Amarsakti, Advocate
		Mr. Shashank Shekhar, Advocate
		Ms. Riya Raj, Advocate
For the Opposite Party/s :		Mr. Jitendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 19-12-2025 Heard Mrs. Nivedita Nirvikar, learned Senior counsel

for the petitioner duly assisted by Ms. Shashi Priya and Mr.

Jitendra Kumar Singh, learned APP.

2. The petitioner is in judicial custody in connection
with Bhadaur P.S. Case No. 27 of 2022 for the offence
punishable under Sections 302, 201, 120B/34 of the Indian
Penal Code lodged on 26.03.2022 by the informant, Vijay
Paswan.

3. As per the prosecution story, the informant, Vijay
Paswan, 'Chowkidar' submitted a report about presence of a
dead body with neck having been slit. Accordingly, the FIR was
registered and thereafter, investigation took place and it was
found that the wife of the deceased, Sobha Devi was having



relationship with Sanjeev Kumar. They were picked up and on the confession of Sanjeev Kumar, Atal Bihari was picked up and thereafter, this petitioner. The role of killing has been assigned to Atal Bihari and this petitioner. Though, the others came into judicial custody, the petitioner absconded and in that background, the trial was bifurcated. Subsequently, he came into judicial custody on 10.07.2023 (para-1 of the petition), the trial has started.

4. Earlier, the bail application of the petitioner was rejected in Cr. Misc. No. 82571 of 2023 on 04.10.2024 and this is the second attempt.

5. A report was called for from the Trial Court and according to it, three out of seven witnesses have been examined.

6. Learned Senior counsel for the petitioner submits that after January, no witnesses have been examined and Atal Bihari who has been assigned the role of killing alongwith the petitioner, has since been acquitted. Further, if granted bail, shall be diligently appearing in trial and has remained in custody since 10.07.2023.

7. Learned APP opposes the prayer submitting that he has been given the role of killing alongwith Atal Bihari.



8. Considering the submission of the parties as also the fact that he has remained in custody since 10.07.2023, the trial has not been concluded and an undertaking has been given that he shall be diligently appearing in trial without influencing the witnesses, in that background, this Court is inclined to extend him the privilege of bail with conditions.

9. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned District & Additional Sessions Judge, IV Barh, Patna in connection with Bhadaur P.S. Case No. 27 of 2022 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for six months to mark his attendance and after the end of the period, the certificate shall be



submitted before the Trial Court failing which steps shall be taken for the cancellation of the bail bonds;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

Adnan/-

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