

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 133 of 2025

Arising Out of PS. Case No.-130 Year-2024 Thana- JADIA District- Supaul

Kundan Yadav S/O Sahdeo Yadav @ Kamleshwari Yadav Resident of Village-
Latunna, P.S.- Triveniganj, District- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 149 of 2025

Arising Out of PS. Case No.-130 Year-2024 Thana- JADIA District- Supaul

Sachita Devi W/O Late Sanjay Yadav R/O Village- Daparkha, Ward No. 25,
P.S- Trieniganj, Distt.- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 133 of 2025)

For the Petitioner/s : Mr. Shahid Aqubal, Advocate

For the Opposite Party/s : Mr. Arun Kumar Pandey, APP

(In CRIMINAL MISCELLANEOUS No. 149 of 2025)

For the Petitioner/s : Mr. Ranjay Kumar Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

4 02-07-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek bail in a case registered for the
alleged offences under Sections 103(1) and 3(5) of BNS.

3. As per the FIR, it is alleged by the informant that
his son Amit Kumar Yadav left the house on 27.07.2024 at



12:00 noon, and he was in Triveniganj Market till 07:00 PM, but his mobile phone was found switched off at 09:00 PM. Thereafter, on the next day, i.e., 28.07.2024, his dead body was found near Raghunathpur Canal. When the informant and other persons reached there, he found that there was a cut mark on his neck, and his motorcycle bearing registration No. BR-50T-9418 was also lying there.

4. Mr. Shahid Aqubal, learned advocate for the petitioner Kundan Yadav, has submitted that the petitioner is quite innocent and has committed no crime and he has falsely been implicated in this case due to dirty village politics. There is no eyewitness to the occurrence. He was not named in the FIR; rather, his name has transpired on the confessional statement of co-accused Manoj Yadav. Learned counsel has further submitted that during investigation it has transpired that Sachita Devi (Petitioner in Cr. Misc. 149 of 2025) was the planner for killing the deceased and one Manoj Kumar had caused the death of deceased Amit Kumar Yadav by a sharp knife. The investigation has been completed and the charge sheet has already been submitted against the petitioner; hence, there is no chance of tampering with the evidence. Lastly, it has been submitted that though the petitioner has criminal antecedent of seven cases, he



is on bail in all seven cases and has been in custody since 13.09.2024.

5. Mr. Ranjay Kumar Singh, the learned advocate for the petitioner Sachita Devi, has submitted that she has falsely been implicated in this case. The learned counsel has further submitted that she was not named in the FIR, and during the course of the investigation her name transpired in this case on the basis of confessional statements of co-accused. The learned counsel has next submitted that there is no eyewitness to the occurrence and she has been implicated in this case only on the basis of suspicion. Investigation has been completed and charge sheet has already been submitted against the petitioner; hence, there is no chance of tampering with the evidence. Lastly, it has been submitted that she has a clean antecedent and has been in custody since 07.08.2024.

5. The learned APP for the State vehemently opposed the prayer for bail and submitted that the allegations against the petitioners are serious in nature. The postmortem report and the death summary report also corroborate the ocular evidence given by the witnesses as well as the confessional statement of the accused.

6. Taking into account the seriousness of the allegation as



also the material available in the case diary against the petitioner Suchita Devi, I am not inclined to grant bail to her. Hence her prayer for bail is rejected.

7. Having regard to the facts and circumstances of case and submissions of the learned counsel for the respective parties, let the petitioner Kundan Yadav be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below/concerned court in connection with Jadia P.S. Case No. 130 of 2024 subject to the following conditions:

- (i) One of the bailors of the petitioner shall be his close relative.
- (ii) The petitioner shall remain physically present in Court on each date of the trial.
- (iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.
- (iv) The learned 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.

7. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

Prakash/-

U			
---	--	--	--

