

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76280 of 2025

Arising Out of PS. Case No.-46 Year-2025 Thana- KATORIYA District- Banka

Prem Yadav S/o Chandradhari Mahto @ Chandradhari Yadav R/o Village-
Asanghatta, P.S.- Katoria, District- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Anshul, Sr. Advocate
	:	Mr. Ravi Prakash Dwivedi, Advocate
	:	Mr. Aditya Singh, Advocate
	:	Mr. Raushan Kumar, Advocate
	:	Mr. Saurabh Raj, Advocate
For the Opposite Party/s :	:	Mr. Braj Kishore Pd., APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 21-01-2026 Heard Mr. Anshul, learned senior counsel for the

petitioner as well as Mr. Braj Kishore Pd., learned Additional

Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
20.02.2025 in connection with Katoriya P.S. Case No. 46 of
2025, F.I.R. dated 15.02.2025 for the offences punishable under
Sections 103(1), 3(5) of the Bharatiya Nyay Sanhita, 2023 and
charge-sheet has been filed under Section 108 Bharatiya Nyay
Sanhita, 2023.

3. According to prosecution case, the informant
alleged that the petitioner along with other co-accused persons
killed his daughter.

4. Learned counsel for the petitioner submits that



petitioner is innocent and he has falsely been implicated in the present case. The allegation levelled against the petitioner is false and fabricated and name of the petitioner transpired merely on the ground that he happens to be the husband of the deceased. Infact it has come during investigation, which is recorded in paragraph nos.23, 24 and 30 of case diary that deceased has committed suicide herself due to quarrel between the deceased and the petitioner. He further submits that the police after investigation submitted the charge-sheet and the petitioner is in custody since 20.02.2025.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner carries one criminal antecedent other than the present one but fairly submits on the basis of paragraph-3 of the bail application that the petitioner is on bail in the said matter.

6. Considering the aforesaid facts and circumstances, it has come during investigation that deceased has committed suicide herself and name of the petitioner transpired merely on the ground that he happens to be the husband of the deceased, let the petitioner, above named, 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 the learned Chief Judicial Magistrate, Banka in connection with Katoriya P.S. Case No. 46 of 2025, subject to the following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the 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.

(Rajesh Kumar Verma, J)

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