

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76983 of 2025

Arising Out of PS. Case No.-72 Year-2020 Thana- KAJRAILI District- Bhagalpur

Fantus Yadav, S/o Girdhari Yadav, resident of Village-Gour Chowki, P.S.-
Kajraili, Dist- Bhagalpur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Rajive Ranjan Singh, Advocate
For the Opposite Party/s : Mr. Rana Randhir Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 09-01-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The accused/petitioner seeks bail in connection
with Kajraili P.S. Case No.72 of 2020 registered for the offences
punishable under Sections 302 and 201 of the Indian Penal
Code.

3. The accused/petitioner is not named in the FIR and
is in custody since 08.02.2025.

4. As per FIR, a headless body of unknown lady was
recovered by Rajendra Paswan, who is the Choukidar of Circle
No.2 and informant of present case. The dead body appears 6-7
days old was almost decomposed. A suspicion raised through
FIR that after committing murder somewhere else, the dead
body was thrown at the place from where it was recovered, with



intention to disappear the evidence regarding crime in question.

5. It is submitted by learned counsel appearing for petitioner that the name of petitioner transpired on the basis of confessional statement of Shambhu Sharma, who is the husband of the deceased. It is submitted that in furtherance of this confessional statement, no incriminating material transpired during investigation as to connect petitioner with present crime in question. It is submitted that considering the overall aspects, said co-accused Shambhu Sharma has already granted bail through Cr. Misc. No.30453 of 2023 dated 07.07.2023. While concluding argument, it is submitted that investigation of this case is already completed, for which, charge-sheet has been submitted and, as such, there is no chance of tampering with the evidence.

6. Explaining criminal antecedents, it is pointed out by learned counsel that petitioner found involved in three more criminal cases, where in one case he has already acquitted and in two cases, he is on bail.

7. Learned APP opposed the prayer for grant of bail to the petitioner.

8. In view of aforesaid factual submissions and by



taking note of fact as except suspicion arising out of confessional statement of co-accused, as mentioned aforesaid, *prima facie* nothing incriminating appears against petitioner during the course of investigation as to connect him with present occurrence of murder, coupled with the fact that investigation of this case is already completed, where petitioner remains in custody since 08.02.2025, accordingly, the petitioner, above-named, is directed to be released on bail furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned District and Additional Sessions Judge-8th, Bhagalpur in connection with S.T. No.477 of 2025 arising out of Kajraili P.S. Case No.72 of 2020, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure (for short 'CrPC')/under Section 480(3) of the Bhartiya Nagrik Suraksha Sanhita (for short 'BNSS').

(Chandra Shekhar Jha, J.)

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