

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78554 of 2025

Arising Out of PS. Case No.-77 Year-2020 Thana- BAKHTIYARPUR District- Patna

Bijendra Yadav @ Bijendra Singh @ Vijindra Yadav @ Vijendra Yadav S/o
Nagina Yadav @ Nagina Singh R/o Village - Mogalpur, P.s.- Bakhtiyarpur,
District - Patna

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Durgesh Nandan, Advocate
For the State : Mr. Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 30-01-2026 Heard Mr. Durgesh Nandan, learned counsel for the
petitioner and Mr. Binod Kumar, learned APP for the State.

2. Petitioner seeks bail, who is in custody since 25.06.2025, in connection with Bakhtiyarpur P.S. Case No. 77 of 2020, F.I.R. dated 09.03.2020 registered for the offences punishable under Section 364 of the Indian Penal Code and later on Sections 306, 201/34 of the Indian Penal Code was added.

3. Petitioner is the husband of the deceased. Allegation against the petitioner is that he along with other co-accused persons have killed the deceased due to non-fulfillment of demand of dowry.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not



committed any offence as alleged in the F.I.R. Although the petitioner is named in the F.I.R. but from perusal of the F.I.R. it appears that there is no specific allegation of any assault or overt act attributed against the petitioner rather there is general and omnibus allegation against all the accused persons including the petitioner. He further submits that initially the case was instituted under Section 364 of the Indian Penal Code but subsequently the same was converted into under Sections 306, 201/34 of the Indian Penal Code and the police has filed the chargesheet under the aforesaid Sections. He further submits that the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 25.06.2025.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner is the husband of the deceased and there is sufficient material against the petitioner in the case diary and apart from aforesaid the petitioner carries two more cases other than the present one but fairly submits on the basis of paragraph-3 of the bail petition that the petitioner is on bail in one case and another case is pending for consideration before the competent court of law.

6. Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing



bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M. Barh, Patna in connection with Bakhtiyarpur P.S. Case No. 77 of 2020, subject to the following conditions :-

(1) 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.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) 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 antecedents, 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.

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(Rajesh Kumar Verma, J)

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