

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33759 of 2024

Arising Out of PS. Case No.-96 Year-2022 Thana- SINGHESHWAR District- Madhepura

Vivek Yadav @ Bibek Yadav, Male, Aged about 25 years, S/o Binod Yadav
R/O Village- Kabiya, Ward No.14, P.S.- Shankarpur, District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha, Advocate

For the Opposite Party/s : Mr.Jai Narain Thakur, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 21-05-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Singheswar P.S. Case No.96 of 2022 instituted for the offences punishable under Sections 307/34 of the Indian Penal Code and subsequently Section 302 of the I.P.C. has been added and Section 27 of the Arms Act.

3. According to the F.I.R., prosecution case, relates to commission of murder of the informant's son namely, Promod Yadav by shot fire.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. He has falsely been implicated in this case merely on the basis of



suspicion. The petitioner is not named in the F.I.R. rather during course of investigation one co-accused Sanjeet Das was arrested and he confessed his guilt and disclosed the name of petitioner. Except the confession of co-accused Sanjeet Das, no any consistent material has come to show the complicity of the petitioner in the alleged occurrence. No one is the eye witness of the alleged occurrence.

5. Learned APP for the State has vehemently opposed the prayer for bail.

6. From perusal of the F.I.R. and impugned order dated 06.04.2024, it appears that on the basis of written report of the informant F.I.R. registered against only one accused Hareram Yadav and during investigation on the basis of confessional statement of co-accused Sanjeet Das @ Sanjit Kumar Das, name of the petitioner transpired in this case. The said co-accused Sanjeet Das @ Sanjit Kumar Das has been granted bail by a co-ordinate Bench of this Court vide order dated 01.08.2023 passed in Cr. Misc. No. 38121 of 2023 and other co-accused namely, Shambhu Yadav has also been granted bail by this Court vide order dated 26.02.2024 passed in Cr. Misc. No. 75180 of 2023. Moreover, petitioner is in Judicial custody since 30.01.2014, accordingly the prayer for bail of the



petitioner is allowed. Let the petitioner above named 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 Chief Judicial Magistrate, Madhepura in connection with Singheshwar P.S. Case No. 96 of 2022.

(Ramesh Chand Malviya, J)

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