

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7593 of 2025

Arising Out of PS. Case No.-272 Year-2024 Thana- MOTIHARI MUFASIL District- East
Champaran

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Vikash Yadav @ Vikash Kumar Yadav, S/o Ramchandra Ray, Resident of
village- Bhitaha, Bankat, ward no 03, P.S.- Muffasil , District- East
Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

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

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 12-05-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Muffasil
P.S. Case No. 272 of 2024 dated 10.06.2024 instituted for the
offence punishable under Sections 302, 120B, 34 of the Indian
Penal Code and Section 27 of the Arms Act.

3. The prosecution case, in short, is that the two co-
accused persons came to the house of the informant and took away
the son of the informant with them under conspiracy. Thereafter at
about 8 pm, the informant received information that his son was
killed by firearm near Hardia Math. Allegation against the
petitioner is that he usually threatened the son of the informant to
face dire consequences as the petitioner had doubt that earlier in



other cases, his son had helped the police to arrest him.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. Learned counsel for the petitioner submits that from perusal of the F.I.R., it appears that at the time of occurrence, the petitioner was in jail in Muffasil P.S. Case No. 260 of 2024 since 01.06.2024. There is nothing in case diary against the petitioner which proves his complicity in this case. Learned counsel for the petitioner further submits that both the accused person, namely, Pappu Thakur and Surendra Ram have not taken the name of the petitioner in their confessional statement. Only on the basis of suspicion, the petitioner has been made accused in this case. Lastly, it has been submitted that the petitioner is in custody since 23.11.2024 having three criminal cases against him. Charge-sheet has been submitted in the case.

5. Learned A.P.P. for the State opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Motihari at East Champaran in connection with Muffasil P.S. Case No. 272 of



2024, 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 on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.
- 2. One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.
- 3. The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.
- 4. 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.

(Khatim Reza, J)

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