

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26218 of 2025

Arising Out of PS. Case No.-21 Year-2013 Thana- NIMCHAKBATHANI District- Gaya

Vivek Kumar @ Vivek Yadav @ Swami Vivekanand S/O Rajendra Prasad Yadav @ Rajendra Yadav R/O Village- Madhobigha, Bathani, P.S- Neemchak Bathani, Distt.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. P. N. Shahi, Sr. Advocate Ms.Roona, Advocate
For the State	:	Mr. Jharkhandi Upadhyay, APP
For the Informant	:	Mr. Ramakant Singh, Advocate Mr. Ranvijay Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 06-08-2025 Heard learned Senior Counsel for the petitioner;

learned APP for the State and learned counsel for the informant.

2. The petitioner seeks bail in connection with

Neemchak Bathani P.S. Case No. 21 of 2013 registered for the

offence punishable under Sections 341, 342, 323, 325 and

307/34 of the Indian Penal Code to which later on Section 302

of the Indian Penal Code was added.

3. As per the FIR, the petitioner is said to have

assaulted the deceased on his leg but the postmortem report does

not support the same.

4. The petitioner is in custody since 11.12.2024 and

charge has been framed.



5. Learned counsel for the State and learned counsel for the informant have submitted that the petitioner has participated in the crime. The petitioner is an absconder as the case was registered in the year 2013 and one co-accused has faced trial and has been convicted.

6. In view of the fact that the petitioner is alleged to have killed the deceased and he was an absconder, I am not inclined to grant bail to the petitioner.

7. Accordingly, the application stands dismissed.

8. If the trial is delayed by the prosecution, the petitioner may renew his prayer for bail.

(Sandeep Kumar, J)

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