

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48127 of 2025

Arising Out of PS. Case No.-111 Year-2019 Thana- DULHIN BAZAR District- Patna

VIMAL YADAV @ VIMAL KUMAR Son of Late Pannu Lal Yadav @ Pannu
Yadav Resident of village - Sarkuna, P.S.- Dulhin Bazar, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Kumar Singh, Advocate
For the State : Md. Mushtaque Alam, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 10-09-2025 Heard Mr. Umesh Kumar Singh, learned counsel for the
petitioner and Md. Mushtaque Alam, learned Additional Public
Prosecutor for the State.

2. Petitioner seeks bail who is in custody since 21.09.2022
in connection with S.Tr. No. 1378 of 2024 arising out of Dulhin
Bazar P.S. Case No. 111 of 2019, F.I.R. dated 30.04.2019 for the
offences punishable under Section 302/34 of the IPC and
Section 27 of the Arms Act.

3. According to prosecution case, the petitioner along
with other co-accused persons is said to have fired upon the
father of the informant.

4. Earlier, the petitioner has moved before this Court for
grant of regular bail in Cr. Misc. No. 30865 of 2023 but the
same got rejected vide order dated 08.08.2023. Thereafter, he



again moved before this Court in Cr. Misc. No. 38779 of 2024 but the same was dismissed as withdrawn vide order dated 21.06.2024.

5. Learned counsel for the petitioner fairly submits that the petitioner is named in the FIR and there is direct and specific allegation against the petitioner that he along with other co-accused persons have fired upon the father of the informant and he has died. He further submits that the petitioner is in custody since 21.09.2022 and the trial has not been concluded as yet. He further submits that similarly situated co-accused person, namely, Mani Bhashkar Kumar Yadav @ Mani Bhaskar Yadav @ Mani Bhashkar Kumar @ Samir Kumar @ Sameer has been granted privilege of regular bail vide order dated 11.04.2025 passed in Cr. Misc. No. 13778 of 2025.

6. Vide order dated 01.08.2025, a report was called for with regard to the present stage of trial. Report of the learned Trial Court dated 06.08.2025 reveals that out of 8 charge-sheet witnesses, only one witness has been examined as yet and the case is pending for the examination of the rest of the witnesses.

7. Learned counsel for the petitioner, referring to the report of the learned trial Court submits that the trial is not likely to be concluded in near future, the petitioner is under



custody since 21.09.2022 and similarly situated co-accused person has been granted privilege of regular bail by this Court.

8. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner.

9. Considering the aforesaid facts and circumstances, similarly situated co-accused person has been granted privilege of regular bail by this Court as well as considering the report of the learned Trial Court, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-III, Danapur in connection with S.Tr. No. 1378 of 2024 arising out of Dulhin Bazar P.S. Case No. 111 of 2019, subject to the following conditions:-

i. 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.

ii. 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.



iii. 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 antecedent, 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.

(Rajesh Kumar Verma, J)

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