

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31650 of 2025

Arising Out of PS. Case No.-202 Year-2022 Thana- GWALPARA District- Madhepura

Virendra Yadav @ Viren Yadav @ Virendra @ Birendra Yadav Son of Deo Narayan Yadav Resident of village- Nauhar Kothi, ward no.11, P.S.- Gwalpara, District-Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pawan Kumar, Adv

For the Opposite Party/s : Mr. Uday Chand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 19-05-2025 Heard learned Counsel for the petitioner and learned A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Gwalpara P.S. Case No. 202 of 2022 registered for the offences punishable u/s 302 read with Section 34 of the I.P.C. and under Section 27 of the Arms Act.

3. As per the prosecution case, on 21.09.2022 the informant's son, namely, Pushpraj Anand, went outside the house for attending a phone call but he did not return. Thereafter, a search was made but informant's son could not be traced. On 22.09.2022, the dead body of informant's son was found. Hence, FIR has been registered against unknown.



4. Learned counsel for the petitioner has submitted that the petitioner is not named in the FIR and his name has surfaced during the course of the investigation. It is further submitted that there is no material to connect the petitioner with the said crime. It is next submitted that similarly situated co-accused persons have already been granted bail by a co-ordinate Benches of this Court, the said bail orders have been brought on record by way of Annexure- P/2 Series. It is lastly submitted that the petitioner has five criminal antecedents and is in custody since 04.09.2024.

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

6. Considering the aforesaid submissions of the parties and taking into account the fact that similarly situated co-accused persons have already been granted bail by a co-ordinate Benches of this Court and also considering the period of custody, let the petitioner above-named, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Madhepura, in connection with Gwalpara P.S. Case No. 202 of 2022, subject to the following conditions:-



(i) One of the bailors will be close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the Court below, if so required by the learned Trial Court.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be canceled by the Court concerned.

(iv) The learned 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.

7. The application stands allowed.

(Sourendra Pandey, J)

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