

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40097 of 2025

Arising Out of PS. Case No.-606 Year-2023 Thana- MADHEPURA District- Madhepura

Vivek Yadav @ Vivek Kumar @ Vibek Kumar Yadav S/O Sri Damodar Yadav
@ Damodar Yadav R/O Village- Khopaiti, ward no. 12, P.S. and Dist.-
Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raja Surendra Mohan, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 09-09-2025 Heard learned counsel for the petitioner and learned APP

for the State. Perused the case diary.

2. The petitioner seeks bail in connection with
Madhepura P.S. Case No. 606 of 2023 instituted for the offence
under Sections 302, 406, 379 & 120(B) of the Indian Penal
Code.

3. Prosecution case, in short, is that petitioner along
with other co-accused murdered the mother of the informant due
to previous money dispute.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 05-03-2025. Petitioner
bears no criminal antecedents, as per disclosure made in
paragraph No. 3 of the bail application.



5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. There is delay of two days in lodging the FIR. There is no specific allegation against the petitioner, rather the same is general and omnibus in nature. Nothing has been recovered from the conscious possession of the petitioner. Charge sheet has already been submitted in this case. Other co-accused has been granted bail by a Co-ordinate Bench of this Court vide order dated 29-02-2024, passed in Cr. Misc. No. 79060 of 2024.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner, there being no specific allegation against the petitioner and charge sheet being submitted, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 15,000/- (Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Madhepura P.S. Case No. 606 of 2023, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.



(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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