

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45984 of 2025

Arising Out of PS. Case No.-19 Year-2024 Thana- KHUTAUNA District- Madhubani

Vivek Kumar Yadav S/O Krishandeo Yadav @ Krishan Kumar Yadav R/O
Village- Godhiyari, P.S- Phulparas, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Kumar Bharti

For the Opposite Party/s : Mr.Madan Kumar

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 16-09-2025 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Khutauna P.S. Case No. 19 of 2024 dated 23.01.2024 registered for the offences punishable under Sections 399, 402 and 120B of the Indian Penal Code and 25(1-B) (a), 26 and 35 of the Arms Act.

3. As per the prosecution case, one loaded country-made katta, magazine, three live cartridges and a mobile phone were recovered from the possession of the petitioner and one Katta and three live cartridges were also recovered from the possession of the co-accused Pankaj



Kumar Yadav while he along with the other co-accused persons gathered for making preparation to commit crime.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the possession of the petitioner. The petitioner has no concern with the alleged recovery. The petitioner has two criminal antecedents as stated in para 3 of the bail petition. The petitioner is in custody since 21.01.2024. Similarly situated co-accused has already been granted regular bail by this court vide order dated 04.12.2024 passed in Cr. Misc No. 82496 of 2024.

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

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Jhanjharpur, Madhubani in connection with Khutauna P.S.



Case No. 19 of 2024, with the condition/s:-

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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