

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33204 of 2015

Arising Out of PS.Case No. -257 Year- 2014 Thana -GOPALPUR District- BHAGALPUR

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Pappu Yadav Son of Late Paro Yadav @ Yado, resident of village -
Bhawanipur, P.S. Gopalpur (Rangra), District – Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar

For the Opposite Party/s : Mr. Suresh Pd. Singh (App)

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 12-08-2015 Heard learned counsel for the petitioner and learned
counsel for the State.

In this case, the petitioner is seeking bail in connection with Gopalpur (Rangra) P.S. Case No. 257 of 2014, G.R. No. 904 of 2014 registered for offences under Sections 302/506/34 of the Indian Penal Code and Section 27 of the Arms Act.

The petitioner had earlier moved before this Court for bail in Cr. Misc. No. 2611 of 2015 and this Court, vide order dated 4th March 2015, rejected the same but liberty was given to renew his prayer for bail after framing of the charge.

It appears from the record that on 3.8.2014 at about 5.00 A.M. while the informant was sitting at the Basa, he heard

the sound of firing, ran towards that side, thereafter he found that the accused persons including the petitioner were fleeing away to the field of maize crops brandishing the pistol in their hands thereafter he found his father dead in the field, having fire arms injury

It has been submitted by the petitioner that the informant is not an eye witness but on the sound of firing, he had run that side and found his father dead and the accused persons including the petitioner were fleeing away. He has further submitted that other accused person, namely, Saldar Yadav @ Saldhar Yadav @ Shailendra Yadav has already been granted regular bail by this Court in Cr. Misc. No. 16225 of 2015.

Looking to the facts and circumstances of the case, let the petitioner, above named, be released on bail on his furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhagalpur in connection with Gopalpur (Rangar) P.S. Case No. 257 of 2014, G.R. No. 904 of 2014, subject to the condition that (i) one of the bailors shall be a close relative of the petitioner (ii) if the petitioner is found involved in future in similar type of case, the prosecution will be at liberty to make prayer for cancellation of his bail and the court below will

pass necessary order, including cancellation of bail and (iii) the petitioner would cooperate the proceeding of the court below. In event of failure to appear on two consecutive dates, the court below will be at liberty to pass the order, including cancellation of bail bonds.

(Shivaji Pandey, J)

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