

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.42856 of 2015

Arising out of PS.Case No. -19 Year- 2015 Thana -KHIJARSARAI District- GAYA

Pappu Yadav @ Pappu Kumar, Son of Naresh Yadav, resident of Village - Naubatpur, P.S. - Khijarsarai, District - Gaya.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Bindhyachal Singh, Advocate.

For the Opposite Party : Mr. Rita Verma (App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 15-10-2015 Heard learned counsels for the petitioner, informant and learned counsel for the State

The petitioner is languishing in custody since 15.07.2015 in connection with Khijarsarai P.S. Case No. 19 of 2015 for the offences instituted under Sections 147, 148, 149, 307 of the IPC and 27 of the Arms Act.

The prosecution story, in brief, is that the informant Abhay Kumar alias Pintu Singh, he was on morning walk near Falgu River on 20.01.2015. In that course, he saw a Sumo vehicle parked by the side of the road. As soon as he reached near it, 7-8 persons came out from the vehicle and forcibly got him seated inside the vehicle. The informant identified accused Munarik Yadav, Nagina Yadav, Shyam Yadav, Pappu Yadav and Munni



Yadav. He could not identify other three persons with them. They forced him not to depose in their case. When the informant protested, accused Pappu Yadav fired from his country made *Katta* which hit him on the chest and thereafter they threw him behind a hill in the injured condition. The informant anyhow informed his family members who came there and he was then admitted to A.N.M.M.C.H., Gaya, for his treatment.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 15.07.2015 and the charge sheet has been submitted in the case. There is no allegation of tampering with the evidence against the petitioner. The petitioner has falsely been implicated in the present case. There is also a title suit pending between the parties. Nothing has been seized from possession of the petitioner. It is further submitted that the petitioner may be released after completion of nine months in custody from 15.07.2015.

On behalf of the learned counsels for the informant and the State it has been submitted that the petitioner is named in the F.I.R. and there is allegation of firing against the petitioner.

Considering the aforesaid facts and circumstances, it is directed that the petitioner may be released on bail after completion of nine months in custody from 15.07.2015 on

furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned J.M. Ist Class, Gaya, in connection with Khijarsarai P.S. Case No. 19/2015.

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(Sudhir Singh, J)