

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 49902 of 2018

Arising Out of PS. Case No.-231 Year-2018 Thana- Bhagalpur Kotwali (Barari) District-
Bhagalpur

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Pappu Modi S/o Late Rameshwar Modi, R/o Vill.- Kutubganj, P.S.-
Babarganj, (Mojahidpur), District- Bhagalpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Dr. Manoj Kumar
For the Opposite Party/s : None

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2. 20-08-2018 Heard Dr. Manoj Kumar, learned counsel for the
petitioner. None appeared on behalf of State.

The sole petitioner, who is in custody in Kotwali
(Barari) P.S. Case No. 231 of 2018 registered for offence under
Sections 302/34 of the Indian Penal Code and Section 27 of the
Arms Act, 1959, has prayed for grant of bail, primarily; on the
ground of parity.

It was submitted by learned counsel for the petitioner
that two accused namely Fantush Yadav @ Fanta Yadav, vide
order dated 06-08-2018 passed in Cr.Misc. No. 42605 of 2018,
and Arvind Yadav @ Arbind Yadav by order dated 10-08-2018
passed in Cr.Misc. No. 45845 of 2018 respectively have been
granted bail by a coordinate Bench of this Court. He submits



that petitioner's case also stands on similar footing and as such, petitioner deserves same privilege.

However, on going through the F.I.R., it is evident that deceased was intercepted by altogether 10 accused persons and indiscriminate firing was made and thereafter, all the accused persons fled away. In such situation, I am of the view that even on the ground of parity, petitioner may not be given same relief.

The petition stands dismissed.

(Rakesh Kumar, J.)

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