

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62065 of 2019

Arising Out of PS. Case No.-106 Year-2015 Thana- SHAMBHUGANJ District- Banka

PAPPU YADAV @ KAMAL KISHOR YADAV Son of Late Kadamlal Yadav
Resident of Village - Asauta Nangel, P.S.- Shambhuganj, Distt - Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Balram Kapri

For the Opposite Party/s : Mr.Ramchandra Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 20-11-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is seeks bail in connection with
Shambhuganj P.S. Case No. 106/2015 registered under Sections
147,148,149,307 and 302 of the IPC and under Section 27 of the
Arms Act.

The prosecuion case in short is that on 10.11.2015 at
about 03.30 PM the Devar Shambhu Kumar Yadav and father-
in-law of the informant where getting pillar constructed in their
land and the informant along with others was watching the same
from her two storey building. It is further submitted that
thereafter, the present petitioner along with other fifteen accused
persons armed with rifles and guns came there and started to
open fire. It is further stated that the accused Sanjay Yadav and
Shekhar Yadav killed his father-in-law Suresh Yadav by opening



fire at him and again Shekhar Yadav opened a fire at Shambhu Kumar Yadav which struck near his eyes and thereafter other accused persons opening fire in the air and went away. Consequently, the father-in-law of the informant died on the spot and her Devar Shambhu Kumar Yadav was taken to hospital.

Learned counsel for the petitioner submits that there is general and omnibus allegation against the petitioner. There is specific allegation against the co-accused Sanjay Yadav and Shekhar Yadav. Learned counsel for the petitioner further submits that petitioner has got no criminal antecedent and charge sheet has been submitted in this case. Petitioner is in custody since 12.07.2019.

In the facts and circumstances of the case, let the petitioner above named be released on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge, IVth, Banka in connection with Shambhuganj P.S. Case No. 106/2015, subject to the following conditions:

- (1) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.
- (2) The petitioner shall not indulge himself in any



similar offence till conclusion of the trial.

(3) The petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(4) The petitioner shall co-operate with the investigation, if not already concluded and make himself available and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Anjani Kumar Sharan, J)

Prakash Narayan /-

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