

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11085 of 2020

Arising Out of PS. Case No.-262 Year-2019 Thana- PUNPUN District- Patna

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Pappu Kumar @ Pappu Yadav, male, aged about 19 years, Son of Kamlesh Kumar @ Futu Yadav, Resident of Village - Sabbalpur, P.S.- Punpun, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Verma, Adv.

For the Opposite Party/s : Mr. Jagdhar Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 28-02-2020 The petitioner seeks bail in connection with Punpun P.S. Case No. 262 of 2019, dated 02.10.2019, instituted for the offences under Sections 302/120-B and 34 of the Indian Penal Code.

The petitioner is in custody since 14.01.2020.

It appears that the son of the informant was killed because of his having relation with a girl of a different religion. Though some of the persons have been named in



the F.I.R. as having participated in the killing of the deceased but the petitioner has not been named. The name of the petitioner transpired from the confessional statement of the girl with whom the deceased had an affair.

Learned counsel for the petitioner has advanced a two pronged arguments for the purposes of grant of bail. In the first instance, he has submitted that the father of the girl was having litigation with the family of the deceased from before and in support of the aforesaid contention, a copy of the F.I.R. has been brought on record which has been lodged by the father of the girl against the grand-father and the uncle of the petitioner. Alternatively, it has been urged that assuming that the girl had named the petitioner as one of the participants in the occurrence, the allegation is general and omnibus of assaulting the deceased by means of hard and blunt substance. The death does not appear to have been caused by any firearm. In that view of the matter also, there would not be any specific accusation against the petitioner, even if the confession of the concerned girl is taken into account.



Considering the aforestated facts, the petitioner above named is directed to be released on bail on his furnishing bail bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-Ist Class, Masaudhi, Patna in connection with Punpun Case No. 262 of 2019.

The application stands allowed.

(Ashutosh Kumar, J)

Praveen-II/-

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