

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13859 of 2020**

Arising Out of PS. Case No.-133 Year-2019 Thana- SONBERSA District- Saharsa

Kappo Yadav @ Kapo Yadav @ Kamleshwari Yadav S/o Anandi Yadav
Resident of Village- Barahi Tola, Bannivasha, Ward No. 10 , P.S.- Sonbarsa
Raj (Kashnagar O.P.), Distt- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**

ORAL ORDER

2 10-06-2020 Heard learned counsel appearing for the petitioner as well as learned Additional Public Prosecutor for the State through video conferencing.

Petitioner seeks bail in connection with Sonbarsa P.S. Case No. 133/2019 registered for the offences punishable under Sections 302/34 of the Indian Penal Code and 27 of the Arms Act.

Although, petitioner is named in the first information report with allegation of making indiscriminate firing along with others but in the first information report, informant has admitted that while deceased was being taken to hospital, deceased disclosed that Bijo Yadav, Manoj Yadav and Randhare Yadav had opened fire upon him and firing of Bijo Yadav caused injury to him. The postmortem report of the deceased goes to show



that only one firearm injury has been found. Moreover, having more or less similar allegation, some co-accused have already been granted privilege of bail by a coordinate Bench of this Court *vide* order dated 21.1.2020 passed in in Cr. Misc. No. 2012/2020.

Considering the aforesaid facts and circumstances as well as submissions of the parties, 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 Shri Rajesh Kumar, 6th Judicial Magistrate 1st Class Saharsa/concerned court in connection with Sonbarsa Raj P.S. Case No. 133/2019.

(Hemant Kumar Srivastava, J)

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