

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23791 of 2020

Arising Out of PS. Case No.-232 Year-2019 Thana- MIRGANJ District- Gopalganj

Pradeep Kumar Yadav alias Pradeep Yadav alias Pradip Yadav aged about 24 years, Gender:- Male, Son of Birendra Yadav, Resident of Village:- Distauli, P.S.- Khampur, District: - Deoria, Uttar Pradesh

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Ranjan

For the Opposite Party/s : Mr. Gauri Shankar Gupta

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

5 08-12-2020 Heard Mr. Rajesh Ranjan, learned counsel for the petitioner and Mr. Gauri Shankar Gupta, learned counsel appearing for the State through video conferencing.

Petitioner seeks regular bail in connection with Sessions Tr. No. 11 of 2020 arising out of Mirganj P.S. Case No. 232 of 2019 registered for the offence under Section 302 / 120 (B) / 34 of the I.P.C. and Section 27 of the Arms Act.

The allegation as per the First Information Report is that two persons, namely Ashok Singh and Sambhu Singh came riding on motorcycles along with two unknown persons and shot the brother of the informant, causing his death.

Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case and he has



been remanded in this case from Mirganj P.S. Case No. 216 of 2019 on the basis of confessional statement of the petitioner and thereafter, petitioner has been remanded in six other cases by the Police in which the petitioner is not the F.I.R. named accused. Learned counsel further submits that during the course of investigation the re-statement of the informant was recorded in which he has specifically stated that Ashok Singh and Sambhu Singh had fired upon the brother of the informant. Learned counsel also submits that petitioner is in custody since 25.11.2019.

On the other hand, learned counsel for the State referring to the case diary submits that confessional statement of the petitioner has been recorded in which the petitioner has confessed his involvement in this case.

Having heard learned counsel for the parties and taking into consideration the materials available on record and the fact that petitioner is in custody since 25.11.2019, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned VIth Addl. Sessions Judge



Gopalganj in connection with Sessions Tr. No. 11 of 2020 arising out of Mirganj P.S. Case No. 232 of 2019 on the following condition:-

(i) that the petitioner shall remain present on each and every date during the course of trial and in case of default on two consecutive dates on the part of the petitioner, his bail bond shall liable to be cancelled.

It is made clear that at the time of furnishing bail bond all the parties shall follow the guidelines regarding social distancing.

praful/-

(Anil Kumar Sinha, J)

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