

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24752 of 2020

Arising Out of PS. Case No.-80 Year-2020 Thana- BUXAR INDUSTRIAL District- Buxar

PAPPU YADAV @ PAPPU KUMAR YADAV S/o Kamlesh Yadav Resident
of Village-Chhotaki Basauli, P.S.-Buxar(M), District-Buxar.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar, Advocate
For the Opposite Party/s : Mr. Shakir Ahmad, APP.

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 21-10-2020

As of now the Courts have not resumed normal physical hearing, the matter has been listed today for consideration through Video Conferencing.

The learned counsels are appearing and making submissions from their residence. The Court Master and Secretary are also part of this virtual court proceedings from their homes, all with the aid of audio visual technology.

Mr. Shakir Ahmad, APP is appearing for the State as it is submitted that the brief has been allotted to him by the office of Advocate General. Henceforward his name may also be printed in the cause list.

Heard learned Counsel for the petitioner and the learned Counsel for the State.

. This Court would expect that the petitioner's Counsel would honour his undertaking in the instant proceedings regarding supply of requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

Petitioner seeks bail in Buxar (I) PS Case No. 80 of 2020 registered under Sections 147, 148, 149, 341, 323, 307, 188, 504, 506, 120B of the IPC and Section 27 of the Arms Act.

During measurement of land, co-accused Raju Yadav along with twenty-four named associates and ten unknown persons



have come to terrorise and indulged in indiscriminate assault and firing.

Learned Counsel for the petitioner submits that the petitioner is one amongst twenty-four named accused persons, though no specific allegation has been attributed against him. He bears a clean past and is in custody since 12.6.2020. It is submitted that other similar situated co-accused, as the petitioner, namely accused Nos. 3, 10 and 11 of the FIR, have been allowed bail in Cr. Misc. No. 22643 of 2020. The prayer is also made on the ground of parity.

Learned APP has opposed the prayer for bail. He submits that specific allegation has been made against co-accused that he along with several persons including the petitioner have terrorised and indulged in firing.

Considering the rival submissions as also the facts and circumstances of the case, prayer for bail of the petitioner is allowed.

Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of CJM Buxar in Buxar (I) PS Case No. 80 of 2020 subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

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(Madhuresh Prasad, J)

