

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24167 of 2020

Arising Out of PS. Case No.-35 Year-2019 Thana- BAKHTIARPUR District- Saharsa

Pappu Kumar Yadav @ Pappu Yadav Son of Niro Yadav Resident of Village -
Turki, P.S.- Bakhtiyarpur, District - Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satish Kumar Singh
For the Opposite Party/s : Mr.A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 04-11-2020 Heard learned counsel for the petitioner as well as
learned A.P.P. for the State through video conferencing.

The petitioner seeks bail in Bakhtiyarpur P.S. Case
No. 35 of 2019, registered for the offence under Section 307 &
other allied sections of the Indian Penal Code and Section 27 of
the Arms Act.

As per the prosecution case, on 26-01-2019 at about
6:30 PM, while the informant alongwith one Prince Kumar was
returning home on a motorcycle, all the accused persons
including petitioner stopped him and thereafter, it is alleged that
co-accused Kusumlal and Parmanand Yadav fired at him and co-
accused Santosh Yadav and Rajesh Yadav assaulted him with
lathi and rod. It is further alleged that this petitioner took out
mobile phone of informant from his pocket.



It is submitted on behalf of petitioner that from bare perusal of the FIR, it is apparent that there is no allegation against this petitioner of any overt act. Only allegation against the petitioner is that he snatched the mobile phone from informant's pocket. It is further submitted that in paragraph – 3 of the petition, it is stated that petitioner is accused in three more cases, but in all the cases, petitioner is on bail and out of three cases, two cases have been lodged by the informant side. Petitioner is in custody since 04-03-2020. Chargesheet has already been submitted.

Considering the aforesaid facts and circumstances, the bail application of petitioner is allowed. Let the above-named petitioner 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 learned C.J.M., Saharsa in connection with Bakhtiyarpur P.S. Case No. 35 of 2020 on the following conditions:

“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present, as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail-bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the



evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.”.

(Prabhat Kumar Singh, J.)

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