

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5630 of 2021

Arising Out of PS. Case No.-85 Year-2020 Thana- BIRPUR District- Supaul

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KARAN YADAV @ LADDU YADAV SON OF BINDESHWARI YADAV
R/o village- Koshikapur, P.S.- Birpur, Distt.- Supaul

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Anshul,
		Mr. Rajesh Ranjan, Advocates
For the Opposite Party/s	:	Mr. Tapeswar Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 13-04-2021 Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the offence punishable under Sections 341, 342, 307, 302, 120B, 379/34 of the Indian Penal Code and Section 27 of the Arms Act.

Informant has alleged that on 05.07.2020 his husband was returning from Godown along with his nephew (Bhagina) at about 8.30 P.M. and when he reached near Badh place, Jagdish Karogiya, Manish Yadav, Kundan Yadav, Sushila Devi, Binod Kumar, Pawan Yadav @ Golu, Lalan Kumar, Pawan Yadav, Chandan Kumar, Pradip Kumar Yadav, Dinesh Marveta, Pramod Kumar Mehta, Sushant Yadav, were present there along with iron rod, country made pistol and they



surrounded his husband and Jagdish Karogiya fired upon the husband of the informant, as a result of which, he sustained injury and fell down on the earth. Thereafter, Kundan Kumar fired upon Bhagina of the informant, Pradip Kumar Yadav, as a result of which, he died on the spot.

It has been submitted on behalf of the petitioner that he is innocent and has falsely been implicated in this case at the instance of his enemies. Petitioner is not named in the FIR, however, his name has surfaced in this case on the basis of conversation made by Khemraj Yadav with accused Kundan as well as with the petitioner. During subsequent stage of investigation few witnesses have named him. Mobile location of petitioner was found near the place of occurrence.

Similarly placed co-accused Om Kumar Yadav and Usuf Aalam have already been granted bail by different co-ordinate Benches of this Court vide order dated 23.03.2021 passed in Cr. Misc. No.39896 of 2020 and vide order dated 09.03.2021 passed in Cr. Misc. No.38243 of 2020 respectively. Petitioner has no criminal antecedent and he is in custody since 27.06.2020.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon



furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Birpur P.S. Case No. 85 of 2020, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate 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 his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

Sanjay/-

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