

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40638 of 2022

Arising Out of PS. Case No.-107 Year-2020 Thana- RAGHOPUR District- Supaul

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PAPPU YADAV @ PAPPU KUMAR Son of Gajendra Yadav Resident of
Village - Tamuwa, P.s.- Chhatapur, Distt.- Supaul.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Prasad Singh, Advocate
For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 18-10-2022 Heard learned counsel for the petitioner and learned
counsel for the State.

Let the defect(s), if any, as pointed out by the office
be removed within four weeks.

The petitioner is an accused in connection with
Raghopur P.S. Case No. 107 of 2020 under Section 394 of the
Indian Penal Code and Section 27 of the Arms Act.

As per the allegation, the informant was returning
along with his staff after closing his provisional store when it is
alleged that four accused persons intercepted and tried to snatch
the bag and upon resistance, they opened fire which hit the
cheek of his staff. Further allegation is of decamping with Rs.
5,00,000/-, motorcycle and the mobile. The FIR was
accordingly lodged against unknown and subsequently during



investigation, one Sujit Kumar was apprehended and on his confession, the name of the petitioner came into the picture.

Learned counsel for the petitioner submits that as he had some cases against him, he voluntarily surrendered on 02.09.2021 (as stated in paragraph-3 of the bail application) and upon which he was remanded in this case on 22.02.2022. However, despite he being custody for long, neither T.I. Parade has been done nor anything has been recovered from his conscious possession. It is his last submission that the said co-accused, Sujeet Kumar, on whose confessional statement his name cropped up, has since been granted the privilege of bail vide order dated 22.10.2021 passed in Cr. Misc. NO. 16927 of 2021.

Let the same be kept on record.

Taking into account the aforesaid facts that neither any T.I. Parade has been done nor anything has been recovered from his conscious possession, charge sheet stands submitted and co-accused, Sujeet Kumar has since been enlarged on bail, this Court is inclined to grant him privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of like amount each to the satisfaction of ACJM, Birpur, Supaul in



connection with Raghopur P.S. Case No. 107 of 2020, subject to the following conditions:-

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her bail bond by the Trial court itself;

(iii) the petitioner shall leave the district Supaul for a period of two month(s) after providing name and address and police station of his place of stay during the said period and he shall be duty bound to visit the police station concerned (where he will stay) every week to mark his attendance;

(iv) upon return to his district, he shall visit the concerned police station every fortnight till the conclusion of the trial to mark attendance;

(v) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of his bail bonds;

(iv) the petitioner shall desist from committing any



criminal offence again failing which the State shall be at liberty
to take steps for cancellation of the bail bonds.

With the aforesaid observations, the bail application is
allowed.

(Rajiv Roy, J)

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