

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53074 of 2021

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

Pardeep Kumar Yadav Son of Bhanni Lal Yadav Resident of Village -
Bauraha, Ward No.7, P.s.- Birpur, Distt.- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr.Md. Jubair Ansari
For the State	:	Mr.Awadhesh Kumar Singh
For the Informant	:	Mr.Rajeev Shekhar, Adv.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 28-01-2022 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Birpur P.S. Case No. 85 of 2020, registered for the offence under Sections 341, 342, 307, 302, 120(B), 379, 34 of the Indian Penal Code and Section 27 of the Arms Act.

As per the prosecution case, 13 named accused, including this petitioner, gathered variously armed and it is alleged that on the instigation of co-accused Sushila Devi, other co-accused namely Jagdish Karogiya and Manish Yadav fired, as a result of which, nephew of the informant died on the spot, while husband of the informant also received injury.

It is submitted on behalf of petitioner that no overt act has been alleged against this petitioner and he was simply a



member of the mob. Other similarly situated co-accused persons namely Pawan Kumar, Kundan Kumar and Lalan Kumar have already been granted bail by this Court, vide order dated 04.10.2021 passed in Cr.Misc. No. 27471 of 2021, order dated 03.01.2022 passed in Cr.Misc. No. 43459 of 2021 and order dated 18.01.2022 passed in Cr.Misc. No. 42671 of 2021 respectively. Petitioner has got clean antecedent and he is in custody since 08.02.2021.

However, learned A.P.P. as well as learned counsel for informant opposed the bail petition and submitted that petitioner is named in the F.I.R. and he has also participated in the occurrence.

Considering the aforesaid facts and circumstances, the bail petition of petitioner is allowed. Let the above named petitioner be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Birpur, Supaul in connection with Birpur P.S. Case No. 85 of 2020.

(Prabhat Kumar Singh, J)

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