

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.47161 of 2022**

Arising Out of PS. Case No.-15 Year-2022 Thana- PASRAHA District- Khagaria

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RANBIR YADAV Son of Awadhi yadav Resident of Village- Basua, P.S.-  
Pasraha, District - Khagaria.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

=====

with

**CRIMINAL MISCELLANEOUS No. 47432 of 2022**

Arising Out of PS. Case No.-15 Year-2022 Thana- PASRAHA District- Khagaria

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PAPPU YADAV Son of Dilshi Yadav Resident of Village - Basua, P.S.-  
Pasraha, Distt.- Khagaria.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

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**Appearance :**

(In CRIMINAL MISCELLANEOUS No. 47161 of 2022)

For the Petitioner/s : Mr.Praveen Kumar Agrawal

For the Opposite Party/s : Mr.Dr. Indiwari Kumari

(In CRIMINAL MISCELLANEOUS No. 47432 of 2022)

For the Petitioner/s : Mr.Praveen Kumar Agrawal

For the Opposite Party/s : Mr.Dr. Indiwari Kumari

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**CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY**  
**ORAL ORDER**

2      14-12-2022                      Let the defect(s), as pointed out by the office, be  
  
removed within a period of four weeks from today.

Heard learned counsel for the petitioner and  
  
learned A.P.P. for the State.

The petitioner seeks bail in connection with  
  
Pasraha P.S. Case No. 15 of 2022 registered for the offences



punishable under Sections 399, 402, 353, 307/34 IPC and 25(1-b), 26(1), 27 and 35 Arms Act.

As per prosecution case, there is alleged recovery of one loaded country made katta and three empty cartridges from the possession of the co-accused Azad Yadav and two live cartridges and one empty cartridge from the possession of co-accused Shailendra Yadav. It is further alleged that co-accused Azad Yadav and Shailendra Yadav were apprehended on spot and both the apprehended co-accused disclosed the name of present petitioner who fled away from the place of occurrence.

Learned counsel for the petitioner submits that petitioner is in custody since 28.06.2022 and bears criminal antecedent of eight cases. Charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence. He further submits that petitioner is not apprehended on spot. Nothing has been recovered from the conscious possession of the petitioner. He further submits that co-accused Shailendara Yadav has already been granted bail vide Cr. Misc. No. 39224 of 2022 by this Court and the case of present petitioner stands on better footing.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.



Considering the facts and circumstances of the case, period of custody, co-accused has already been granted bail, nothing has been recovered from the possession of petitioner, charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Khagaria in connection with Pasraha P.S. Case No. 15 of 2022, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) 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.



(iv) Petitioner shall furnish mobile number at the time of furnishing bail bond and the said mobile number shall continue in operating condition till disposal of the case and he shall get his presence marked before the officer-in-charge of the concerned police station on the first Tuesday of every month.

(v) Petitioner shall not leave the territorial jurisdiction of the concerned trial court without appropriate permission of the court concerned.

(vi) However, if petitioner violates any of the conditions, the concerned court is at liberty to cancel the bail bond of the petitioner.

**(Alok Kumar Pandey, J)**

vashudha/-

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