

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64931 of 2021**

Arising Out of PS. Case No.-129 Year-2021 Thana- BARARI District- Katihar

PAPPU YADAV S/o Gokul Yadav Resident of Village- Madheli, P.S.- Barari,
District- Katihar.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhola Prasad

For the Opposite Party/s : Mr.Satya Nand Shukla

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER**

2 23-05-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor appearing for the State.

Petitioner seeks regular bail in connection with Barari
P.S. Case No. 129/2021 registered for the offences punishable
under Sections 302/34 of the Indian Penal Code 1860 and
Section 27 of the Arms Act.

The allegation in nutshell is that about seven named
accused persons arrived at the house of the informant where the
father-in-law of the informant was sleeping and they fired upon
her father-in-law, due to which, he sustained injuries near his
chest, nose and died.

Learned counsel for the petitioner submits that from
perusal of the First Information Report it would be evident that
the petitioner is not the assailant and in the second part of the



FIR the informant has stated that the Mukhiya Rakesh Yadav hatched conspiracy and got the father-in-law of the informant killed by named accused persons. In the last line of the FIR a vague statement has been made by the informant that the petitioner was also involved in the present offence. Learned counsel further submits that allegation against the petitioner is vague and he has been implicated in this case with oblique motive. Learned counsel further submits that there is general and omnibus allegation against the petitioner. The petitioner is in custody since 10.08.2021 and charge sheet has already been submitted. Learned counsel further submits that similarly situated co-accused / Laddu Yadav has been granted bail by this court in Cr. Misc. No. 54036 of 2021.

Regards being had to the submission made by the parties and taking into consideration the materials on record, the fact that the petitioner is not the assailant, he is in custody since 10/08/2021, charge sheet has already been submitted and similarly situated co-accused has been granted bail, as such, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bonds of Rs.20,000/- (Twenty thousand) with two sureties of the like amount each to



the satisfaction of learned A.C.J.M. III, Katihar, in connection
with Barari P.S. Case No. 129/2021.

(Anil Kumar Sinha, J)

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