

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7822 of 2023

Arising Out of PS. Case No.-564 Year-2021 Thana- RAMKRISHNANAGAR District- Patna

Pappu Yadav @ Om Prakash @ Pappu Singh @ Om Prakash Singh S/O Late
Harsh Dayal Singh Resident Of Village- Pipra, P.S.- Ramkrishna Nagar,
District- Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ramakant Sharma, Sr. Adv.
	:	Mr. Akshay Ashish, Adv.
	:	Ms. Lakshmi Kant Sharma, Adv.
For the Opposite Party/s	:	Ms. Rita Verma, APP.

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 08-02-2023 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the Stamp Reporter within

one month.

Learned senior counsel Mr. Ramakant Sharma
appearing for the appellant and learned APP Ms. Rita Verma
appearing for the State are present and they are heard.

The petitioner seeks regular bail in connection with
Ramkrishna Nagar P.S. Case No. 564 of 2021 registered for the
offences punishable under Section 302/34 of the Indian Penal
Code and Section 27 of the Arms Act.

As per the prosecution, the informant's grandson was
shot dead on his neighbour's (Ajit Kumar @ Pachchu) terrace by



a co-accused Tinku Kumar, while the informant's son was grabbed by the informant's neighbour (Ajit Kumar @ Pachchu) and this petitioner at the time of alleged occurrence and accordingly they helped the main accused.

It is submitted by learned senior counsel appearing for the petitioner that the petitioner earlier preferred Cr. Misc. petition 39537/2022 which was rejected by this Bench with giving a liberty to the petitioner to renew his prayer after framing of charge and in the light of the said liberty the petitioner has again come before this Court for the relief of bail and upon the petitioner, the charges have been framed on 05.12.2022 and the petitioner has been languishing in jail since 25.02.2022 and as per the allegations made in the FIR, the petitioner is alleged to have caught hold of the deceased and there is no allegation of firing against him and in fact, the informant along with some other persons executed an agreement for sale in favour of the cousin of the petitioner, regarding which a dispute arose and then the informant and others denied to execute and register the sale deed and in that matter the petitioner was supporting his cousin namely Chandan Kumar and for that enmity the petitioner has been falsely implicated in the present matter and in actual, on the alleged date and time of



occurrence, a birthday party was being organized in which either due to celebratory firing (Harsh firing) or accidental firing, the alleged incident took place.

Learned APP for the State has opposed the bail prayer but fairly accepted that against the petitioner there is no allegation of firing and he simply caught hold of the deceased at the relevant time of occurring of the incident.

Considering the above submissions and mainly the period of custody undergone by the petitioner and also the petitioner's clean antecedent mentioned in the petition and also the petitioner's case stage which is at initial stage of trial, this Court is inclined to accept the petitioner's prayer for bail. Accordingly, let the 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 concerned Court in Connection with Ramkrishna Nagar P.S. Case No. 564 of 2021.

(Shailendra Singh, J)

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