

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36013 of 2023

Arising Out of PS. Case No.-49 Year-2022 Thana- PHULPARAS District- Madhubani

Pappu Kumar Yadav Son Of Jamun Yadav Village Navtol Police Station
Phulparas, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hriday Narayan Harshit

For the Opposite Party/s : Mr.Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 30-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 302 and 120(B) of the Indian Penal Code and Section 27 of Arms Act.

3. Allegation against the co-accused persons, namely, Ram Krishan Yadav and Om Prakash Yadav is that they opened fire upon the informant's son due to which the informant's son shot dead. It is further alleged that this petitioner also involved in this as alleged occurrence.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. The petitioner is not named in FIR rather his name came into light in this case during



investigation. It is further submitted that there is no specific allegation of shot fire against the petitioner rather the specific allegation of shot fire on the informant's son due to which he shot dead is against co-accused persons, namely, Ram Krishan Yadav and Omprakash Yadav not against this petitioner. It is also submitted that not a single witness has supported the allegation against the petitioner. Moreover, he is languishing in judicial custody since 10.08.2022.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Phulparas P.S. Case No. 49 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM-II, Jhanjharpur, Madhubani.

(Sunil Kumar Panwar, J)

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