

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49806 of 2023

Arising Out of PS. Case No.-98 Year-2023 Thana- BARH District- Patna

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PAPPU YADAV SON OF GORELAL YADAV @ BIJINDRA YADAV R/O-
MOKIMPUR JORHARPAR, P.S.-BARH, DISTT.-PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Deepak Kumar Singh, Advocate

For the Opposite Party/s : Mr. Dinesh Singh, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 08-08-2023 Heard learned counsel appearing on behalf
of the parties.

2. The petitioner seeks bail in connection with
Barh P.S. Case No.98 of 2023 registered for the offence under
Sections 302/120B/34 of the Indian Penal Code and Section 27
of the Arms Act.

3. The accused/petitioner is not named in the
F.I.R. and is in custody since 25.05.2023.

4. The allegation against the petitioner is to
commit murder of the father of the informant along with other
unknown/named co-accused persons, where, occurrence is
arises out of previous enmities.

5. Learned counsel appearing on behalf of the
petitioner submitted that name of the petitioner surfaced, during



course of investigation, on the basis of confessional statement of Bikki Kumar, where, in furtherance of which, no incriminating material surfaced/recovered against this petitioner, as to connect him, *prima-facie*, with present occurrence of murder. It is submitted that the informant, who is claiming to be an eye-witness of the occurrence, raising specific allegation against co-accused, namely, Bikki Kumar, causing death of his father. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and moreover, investigation of this case is completed, for which, charge-sheet has already submitted, as such, there is no chance of tampering with the evidence.

6. Learned APP appearing on behalf of the State, opposes the prayer of bail.

7. Considering the facts and circumstances as mentioned above and by taking note of the fact as save and except suspicion, arises out of confessional statement of co-accused, where, nothing appears incriminating against this petitioner, during course of investigation, as to connect him, *prima-facie*, with present occurrence of murder coupled with the fact that charge-sheet has already submitted, where, petitioner is in custody since 25.05.2023, let the petitioner, above named, is



directed to be released on bail in connection with Barh P.S. Case No.98 of 2023 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned ACJM, Barh (Patna)/concerned court, subject to the condition as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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