

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49528 of 2022

Arising Out of PS. Case No.-12 Year-2022 Thana- NADI P.S. District- Bhagalpur

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PAPPU YADAV Son of Ambika Prasad Yadav @ Ambika Yadav Resident of
village - Nayatola Bhawanpura, P.S.- Kharik, District - Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajesh Kumar Pandey

For the Opposite Party/s : Mr.Anil Kumar

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 08-02-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in a case registered
for the offence punishable under section 302 of the Indian Penal
Code and section 27 of the Arms Act.

As per allegation in the FIR, while the informant and
his brother along with one pillion rider Suman Yadav were
going to Takna Diyara by motorcycle bearing registration no.
BR10T6887, nine named accused reached near them and caught
hold of his brother as a result of which motorcycle and all three
fell down. Informant and his brother started to run but on chase
his brother was caught and accused Jajla Yadav shot him on his
head and stomach and he died on spot.

It is submitted by learned counsel for the petitioner



that petitioner has been falsely implicated in this case. He is not named in the FIR. During investigation, his name has been surfaced in this case on the basis of his self confessional statement, which has no evidentiary value in the eye of law. Several accused persons have already been enlarged on bail by learned lower court, whose orders are annexed as Annexure-2 series and the case of the petitioner stands on better footing to that of the co-accused persons. Petitioner is languishing in judicial custody since 16.05.2022.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned ACJM 1st, Naugachia in connection with Nadi P.S. Case No. 12 of 2022.

(Sunil Kumar Panwar, J)

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