

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51594 of 2022

Arising Out of PS. Case No.-611 Year-2021 Thana- SUPAUL District- Supaul

1. Pappu Kumar @ Pappu Yadav S/O Maheshwar Yadav @ Maheshwari Yadav
R/O Village- Itahari, Ward No.15, P.S.- Supaul, District- Supaul
2. Adarsh Kumar @ Kappu Yadav S/o Maheshwar Yadav @ Maheshwari
Yadav R/o Village- Itahari, Ward No.15, P.S.- Supaul, District- Supaul

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nafisuzzoha

For the Opposite Party/s : Mr.Parmanand Kumar

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 10-01-2023 Learned counsel for the petitioners is permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of three weeks from today.

Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case
registered for the offences punishable u/s 341, 342, 323, 324,
506 and 307 read with 34 of the Indian Penal Code.

As per prosecution case, co-accused persons
Maheshwari Yadav and Kusheshwar Yadav tied the informant's
neck by a *gamchha* and pulled the same to kill him, due to
which his breath stopped and he felt uneasy, thereafter, the co-



accused Om Prakash and the petitioner Pappu Yadav with intention to kill him inflicted *dabiya* blow on his head due to which he sustained head injury.

Learned counsel for the petitioners has submitted that the petitioners have falsely been implicated in this case. The petitioners have no criminal antecedent as stated at para 3 of the bail petition. There is general and omnibus allegation against the petitioners. Injury of the injured is simple in nature though caused by sharp edge weapon. There is no repetition of blow on the part of the body. The other co-accused person has already been granted bail by the Co-ordinate Bench *vide* order dated 19.10.2022. passed in Cr. Misc. No. 16087 of 2022.

Learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the prayer of anticipatory bail of the petitioners.

Considering the aforesaid facts and circumstances of the case, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, Supaul in connection with Supaul P.S. Case No. 611



of 2021, subject to conditions as laid down under Section 438(2)
of the Code of Criminal Procedure.

This application stands allowed.

(Chandra Prakash Singh, J)

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