

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58547 of 2022

Arising Out of PS. Case No.-153 Year-2021 Thana- KALUAHI District- Madhubani

PAPPU YADAV @ PAPPU KUMAR @ PAPPU KUMAR YADAV Son of
Rajdeo Yadav Resident of Village- Narar Goth, Dhatta Tol, P.S.- Kaluahi,
District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Kumar Bharti
For the Opposite Party/s : Mr.Ramesh Chandra

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

3 13-03-2023 Heard the learned counsel for the petitioner as well as
the learned Additional Public Prosecutor for the State.

The petitioner is seeking regular bail in connection
with Kaluahi P.S. Case No. 153 of 2021 registered for offence
punishable under section 302/34 of the Indian Penal Code and
section 25 (1-b)a/27 of the Arms Act.

The informant is widow of deceased Sanjay Yadav.
She rushed to the place of occurrence on hue and cry and saw
the dead body of her husband, who sustained bullet injuries on
his thigh and stomach. Some persons, who were present there,
apprised the names of nine accused persons named in the FIR.
The specific allegation to fire shot at the deceased is on Umesh
Yadav and Ganaur Yadav. The allegation against Diwakar Yadav



@ Umesh Yadav, Pappu Yadav and Ganaur Yadav is that they caught hold the deceased.

The learned counsel for the petitioner has submitted that the petitioner is innocent and there is no allegation against him to open fire on the person of the deceased nor there is allegation against him to catch hold the deceased. In this case, there are two accused persons named Pappu Yadav. First is the present petitioner, who is son of Rajdeo Yadav and second Pappu Yadav is son of Ram Chandar Yadav @ Chandar Yadav. The wife of the deceased, in her re-statement, has mentioned that it was Pappu Yadav son of Ram Chandar Yadav @ Chandar Yadav, who was amongst the persons, who caught hold the deceased. The learned counsel has also submitted that Pappu Yadav son of Ram Chandar Yadav @ Chandar Yadav has been granted regular bail by a co-ordinate Bench of this Court in Cr. Misc. No. 62960 of 2022.

On the other hand, the learned APP has opposed the prayer for bail.

There is no specific allegation against the petitioner to open fire on the deceased nor he was amongst the persons, who had caught hold the deceased, and co-accused Pappu Yadav son of Ram Chandar Yadav @ Chandar Yadav has been granted



regular bail by a coordinate Bench of this Court.

Considering the above-mentioned facts and circumstances, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand rupees) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Madhubani in connection with Kaluahi P.S. Case No. 153 of 2021, subject to the following conditions:-

(i) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(ii) If the petitioner is found involved in future in the similar type of offence, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the petitioner and the learned court below will take decision in accordance with law.

(Nawneet Kumar Pandey, J)

Mahesh/-

U		T	
---	--	---	--

