

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71050 of 2023

Arising Out of PS. Case No.-28 Year-2017 Thana- PIRPAINTI District- Bhagalpur

Teju Yadav @ Tej Narayan Yadav Son Of Iner Yadav @ Inder Prasad Yadav
Resident Of Madhuban Tola, P.S. - Pirpanti, District - Bhagalpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajive Ranjan Singh, Advocate
For the Opposite Party/s : Mr. Ramchandra Sahni, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 07-11-2023 Heard learned counsel for the petitioner and learned
APP for the State.

02. In the present case, the petitioner seeks bail in connection with Pirpanti P.S. Case No. 28 of 2017 registered on 03.02.2017 for the alleged offences under Sections 302, 34 of the Indian Penal Code and Section 27 of the Arms Act.

03. As per prosecution case, the cousin of the informant was shot dead by the petitioner and other co-accused persons.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Altogether seven persons have been named in the F.I.R and general and omnibus allegations have been levelled against them. From the F.I.R. itself it is clear that the specific allegation



of firing on the deceased is against co-accused Nitesh Yadav and Rajesh Yadav. Similarly placed co-accused persons Pawan Yadav and Lavkush Yadav have been granted bail by the different Co-ordinate Benches vide order dated 27.09.2022 passed in Criminal Misc. No. 37371 of 2022 and order dated 29.03.2023 passed in Criminal Misc. No. 70266 of 2022, respectively. Learned counsel further submits that due to a land dispute, the informant, who is a co-villager of the petitioner, has dragged him in this case. The petitioner is in custody since 21.07.2023 and charge-sheet has been submitted. The petitioner is having criminal antecedent of one case and he is on bail in that case.

05. Learned APP for the State opposes the prayer for bail.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that specific allegation of opening fire on the deceased is against other co-accused persons and further considering the period of custody of the petitioner along with submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the



satisfaction of learned Additional District & Sessions Judge-
XVI/concerned court, Bhagalpur in connection with Pirpanti
P.S. Case No. 28 of 2017 subject to the conditions mentioned in
Section 437(3) of the Cr.P.C. and the following conditions:

- (i) One of the bailors will be a close relative of
the petitioner.
- (ii) The petitioner will remain present on each and
every date fixed by the court below.
- (iii) In case of absence for three consecutive dates
or in violation of the terms of the bail, the bail
bond of the petitioner will be liable to be
cancelled by the court concerned.

(Arun Kumar Jha, J)

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