

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7023 of 2024

Arising Out of PS. Case No.-429 Year-2020 Thana- SIWAN MUFFASIL District- Siwan

Pappu Kumar Yadav, Son of Majister Yadav @ Bharat Yadav, Resident of
Village- Lakhraon (Shrinagar), PS- Siwan Muffasil, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary, Advocate

For the Opposite Party/s : Mr. Sunil Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 03-04-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Siwan (Muffasil) P.S. Case no. 429 of 2020 registered under sections 302, 201, 120B and 34 of the Indian Penal Code and section 27 of the Arms Act.

3. As per the prosecution case, the son of the informant was called by Umesh Kumar Yadav and Pappu Kumar Shah. On the son of the informant not returning, it is stated that inquiry was made but no satisfactory reply was given by them. Subsequently, in course of inquiry it transpired that besides the said two accused persons the accused Baharan Yadav, Hare Ram Soni and Suraj Kumar Yadav had shot the son of the informant as a result of conspiracy and had hidden his body.



4. Learned counsel for the petitioner submits that the petitioner is not named in the FIR. Pappu Kumar Shah and this petitioner are two different and distinct persons with different parentage. So far as this petitioner is concerned, he was falsely implicated in the case in course of investigation when his name was allegedly taken in the confessional statement of the co-accused Umesh Kumar Yadav made before police. The said Umesh Kumar Yadav has been enlarged on bail vide order dated 27.1.2022 passed in Cr. Misc. no. 25268 of 2021. The petitioner is in custody since 22.11.2023 and has no criminal antecedent. Charge-sheet has been submitted in the case.

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

6. Having heard learned counsel for the parties and taking into consideration the allegations in the FIR, the petitioner not being named therein, grant of bail to co-accused Umesh Kumar Yadav on whose confessional statement before the police the name of the petitioner transpired together with the petitioner having remained in custody for 4 months since 22.11.2023 and charge-sheet having been submitted in the case, the petitioner is directed to be enlarged on bail in connection with Siwan (Muffasil) P.S. Case no. 429 of 2020, on furnishing



bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Siwan.

(Partha Sarthy, J)

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