

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20964 of 2024

Arising Out of PS. Case No.-625 Year-2022 Thana- GOPALPUR District- Bhagalpur

Piyush Yadav SON OF BARUN YADAV @ VARUN KUMAR R/O
VILLAGE- CHAPARGHAT, P.S.- GOPALPUR, DISTRICT- BHAGALPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Yadav

For the Opposite Party/s : Mr. Jagdhar Prasad, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 05-07-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Gopalpur (Rangra) P.S. Case No. 625 of 2022 lodge on 14.12.2022
under Section 302/34 of the Indian Penal Code and 27 of the Arms
Act.

3. As per the prosecution case, F.I.R. has been lodged
against four named accused persons excluding the present petitioner
and the specific allegation is against Suman Yadav and Rajesh Yadav
who fired upon the informant's brother on chest which resulted into
his death.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Counsel
further submits that that the name of the petitioner has been



figured in this case at the instance of the police due to the reason that his criminal antecedent is not clean and there are 16 cases pending against him in which he is on bail. The petitioner is in custody since 14.07.2023. Learned counsel for the petitioner submits that charge-sheet has been filed as well as charge has also been framed and no purpose shall be served keeping the petitioner in custody.

5. Counsel for the petitioner submits that the co-accused against whom there is an allegation of firing has been granted bail by the co-ordinate Bench of this Court vide order dated 12.09.2023 passed in Cr. Misc. No. 51561 of 2023.

6. Learned APP for the State opposes the prayer for bail and submits that the petitioner's name has come during the investigation. He submits that in re-statement of the informant, the name of the petitioner has been stated by the informant also. He further submits that the other co-accused has also narrated the statement and involvement of the petitioner in the commission of the crime cannot be ruled out.

7. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named be granted bail *after framing of charge, if the charge is not framed yet* and on furnishing bail bonds of Rs. 30,000/- (Rupees



Thirty thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., IIIrd, Naugachia, Bhagalpur/Successor Court in connection with Gopalpur (Rangra) P.S. Case No. 625 of 2022 subject to the condition laid down under Section 437(3) of the Cr.P.C.

8. However, the petitioner shall be granted bail only on being satisfied by the Trial Court that the petitioner is not absconding in any of the cases pending against him whose details are as follows:-

- Naugachia P.S. Case No.72/2020
- Gopalpur P.S. Case No. 41/2021
- Naugachia P.S. Case No. 408/2019
- Gopalpur P.S. Case No. 20/2021
- Gopalpur P.S. Case No. 526/2021
- Naugachia P.S. Case No. 338/2021
- Mirza Chowki P.S. Case No.01/2022
- Gopalpur P.S. Case No. 479/2021
- Gopalpur P.S. Case No. 220/2022
- Naugachia P.S. Case No. 50/2023
- Naugachia P.S. Case No. 53/2023
- Gopalpur P.S. Case No. 241/2023
- Naugachia P.S. Case No. 24/2021



- Gopalpur P.S. Case No. 20/2021
- Naugachia P.S. Case No. 88/2021
- Gopalpur P.S. Case No. 24/2021

(Dr. Anshuman, J)

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