

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27977 of 2024

Arising Out of PS. Case No.-617 Year-2022 Thana- GAYA MUFASIL District- Gaya

Pappu Kumar Son of Surendra Yadav Resident of Village- Nima, P.S.-
Muffasil in the District of Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Braj Nandan Kumar Tiwary, Adv.
For the Opposite Party/s : Mr. Ramchandra Sahni, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 15-05-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Muffasil P.S. Case No. 617 of 2022, lodged on 16.08.2022
under Sections 147, 148, 149, 341, 323, 307, 504, 506 of the
Indian Penal Code read with section 27 of the Arms Act.

3. As per the prosecution case, FIR has been lodged
against 16 named and 40-50 unknown accused persons. The
allegation against the petitioner along with other co-accused
persons is that they have assaulted the informant and his family
members and also fired, due to which brother of the informant
sustained firearm injury. The specific allegation is against
Satendra Kumar and Arvind Kumar about firing.

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



also submits that there is no specific act or overt act against the present petitioner and there is a general and omnibus allegation against the accused persons. Counsel further submits that the criminal antecedent of the petitioner is clean and he is in custody since 28.02.2024.

5. Learned counsel for the petitioner further submits that several accused persons have been granted bail by the Co-ordinate Bench of this Court as well as by this Court *vide* orders dated 27.04.2023, 13.07.2023, 08.08.2023, 31.10.2023 & 05.03.2024 passed in Cr. Misc. Nos. 10288 of 2023, 26018 of 2023, 44625 of 2023, 64919 of 2023 & 81431 of 2023 respectively. Counsel submits that the petitioner is ready to fulfill all the conditions whatsoever shall be imposed upon him.

6. Learned APP for the State opposes the prayer for bail of the petitioner.

7. In the present facts and circumstances of this case and the submissions made above, **let the petitioner above named be granted bail** on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya in connection with Muffasil P.S. Case No. 617 of 2022, subject to the conditions as laid down U/s 437(3) Cr.P.C. as well



as the following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bonds by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for one year to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds; and

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Dr. Anshuman, J.)

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