

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 39050 of 2024

Arising Out of PS. Case No.-237 Year-2023 Thana- BARHARA KOTHI District- Purnia

Pappal Yadav @ Papal Yadav son of Late Parmeshwar Yadav R/O Vill.-
Hathiandha, Barokiya Tola, Ward no.13, P.S.- Bihariganj, Dist.- Madhepura
... .. Petitioner/s

Versus

The State Of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Uday Chand Prasad, Adv.
	:	Mr. Manoj Kumar, Adv.
For the Opposite Party/s	:	Mr.Jagdhar Prasad, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 10-07-2024 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Barhara P.S. Case No.237 of 2023 lodged under Sections 147,
148, 149, 341, 323, 302, 307, 448, 504, 506 and 509 of the
I.P.C. read with Section 27 of the Arms Act.

3. As per the prosecution case, the F.I.R. has been
lodged against 16 named accused persons including the
petitioner and the specific allegation in the present case is
against the Sanoj Kumar who make gun shot to the informant's
son and upon accused Shubham Kumar who has fired by gun on
the chest of the informant's wife due to which both informant's
wife and his son died.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has committed no offence. He submits that from the contents of F.I.R., it become clear that the specific allegation is against co-accused Sanoj Kumar and the petitioner is only member of mob.

5. Counsel also submits that the other co-accused has been granted bail by the Co-ordinate Bench of this Court vide order dated 29.11.2023 passed in Cr. Misc. No. 74119/2023 and vide order dated 18.01.2024 passed in Cr. Misc. No. 1116/2024 and vide order dated 26.04.2024 passed in Cr. Misc. No. 17192/2024.

6. Counsel for the petitioner submits that petitioner is in custody since 08.12.2023 having three criminal antecedent in which he is on bail.

7. Learned counsel for the State opposes the prayer for bail.

8. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail **but only after framing of charge, if not framed**, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Purnea in connection with Barhara P.S. Case No.237 of 2023, subject to the following



conditions as laid down under Section 437(3) of Cr.P.C.

9. 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:-

- i. Bihariganj P.S. Case No.208 of 2020.
- ii. Bihariganj P.S. Case No.137 of 2020.
- iii. Bihariganj P.S. Case No. 12 of 2014.

(Dr. Anshuman, J.)

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