

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71038 of 2023

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

Saryu Yadav @ Saryug Yadav S/O Late Buddhu Yadav R/O Madhuban
Diyara, P.S- Bakharpur (O.P), Pirpanti, Distt.- 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 SUNIL DUTTA MISHRA
ORAL ORDER

3 31-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks regular bail in connection with
Pirpanti P.S. Case No. 28 of 2017 for the offences registered
under Sections 302/34 of the Indian Penal Code and Section 27
of Arms Act.

3. As per the prosecution case, cousin brother of the
informant was shot dead by the petitioner and other co-accused
persons while he was returning from maize field.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in this
case. There is land dispute between the parties. Informant and
petitioner are co-villagers. Petitioner has no criminal antecedent.
He is in custody since 26.07.2023. Charge-sheet has already
been submitted in this case. It is further submitted that similarly



situated co-accused, namely Teju Yadav @ Tej Narayan Yadav has already been granted bail by a Co-ordinate Bench of this Court, vide order dated 07.11.2023 passed in Cr. Misc. No. 71050 of 2023.

5. Learned counsel appearing on behalf of the State opposes the prayer for grant of bail to the petitioner.

6. Considering the submissions made on behalf of the parties, facts and circumstances of the case and period of custody, let the petitioner, named above, be enlarged on bail upon furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned concerned Court where the case is pending in connection with Pirpainti P.S. Case No. 28 of 2017, subject to following conditions:-

(I) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(II) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(Sunil Dutta Mishra, J)

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