

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39642 of 2025

Arising Out of PS. Case No.-45 Year-2024 Thana- TANKUPPA District- Gaya

Pappu Yadav Son of Parmeshwar Yadav Resident of Akurahwar, Tola -
Bherwa, P.S.- Tankuppa, District - Gaya, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Mrityunjay Kumar, Adv
For the Opposite Party/s	:	Mr. Sanjay Kumar Tiwary, APP
For the Informant	:	Ms. Surabhi Nirmal, Adv

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

3 13-08-2025 Heard learned counsel for the petitioner, learned
Additional Public Prosecutor for the State and learned counsel
for the informant.

2. The petitioner seeks bail in connection with
Tankuppa P.S. Case No. 45 of 2024 registered for the offence
punishable under Sections 341, 323, 326, 307, 504, 506 of the
Indian Penal Code and Section 27 of Arms Act.

3. The petitioner has one criminal antecedent. He is a
named accused in Tankuppa P.S. Case No. 230 of 2023 dated
17.11.2023 under Sections 147, 149, 447, 341, 323 and 379 of
the IPC, in which the petitioner claims to be on bail.

4. The case of the prosecution is that in the written
statement filed by the informant, it has been alleged that the
informant along with his son on 01.04.2024 at about 08:30 PM
were returning from agricultural field to their residence and on



the way, the accused persons including the petitioner restrained them and then the accused-petitioner as well as Anil Yadav brought out country made pistol and fired at the son of the informant. Rest of the accused persons were holding the son of the informant. The son of the informant sustained injury in his right thigh and the accused persons including the petitioner also assaulted the informant.

5. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. There is a land dispute between both the parties and the informant and his family members always intended to grab the land of the petitioner and due to this reason, the informant and his family used to threaten the petitioner and his family. He further submits that the informant and his son were disrespecting and outraging the modesty of the petitioner's family members. The petitioner has one criminal antecedent and is in custody since 21.12.2024. The charge-sheet against the petitioner has already been filed and it has also been committed. Learned counsel further submits that the other co-accused persons have already been granted bail by the co-ordinate Benches of this Court. Surendra Yadav, Kaushal Yadav and Raju Kumar have been granted bail vide order dated 04.03.2025



passed in Cr. Misc. No. 519 of 2025 and Anil Yadav has granted bail vide order dated 09.05.2025 passed in Cr. Misc. No. 19838 of 2025. The orders granting bail have been brought on record. He also submits that the injury sustained is simple in nature as per the supplementary injury report. He also submits that the petitioner has remained in custody for more than six months and, therefore, on the ground of parity, he prays for grant of regular bail.

6. Learned APP appearing for the State as well as learned counsel appearing for the informant oppose the prayer for regular bail of the petitioner.

7. Considering the fact that the petitioner is in custody for more than six months and other co-accused persons have already been granted bail and further that the injury sustained is simple in nature and the charge-sheet has already been filed against the petitioner and commitment has been done, this Court is inclined to grant privilege of bail to the petitioner. The petitioner above named, is directed to be released on bail 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 court below where the case is pending/successor court in connection with Tankuppa P.S. Case No. 45 of 2024,



subject to the following conditions:-

(i) One of the bailors of the petitioner shall be his close relative.

(ii) The petitioner shall remain physically present in Court on each date of the trial.

(iii) In case of absence on two consecutive dates without substantial reason or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the Court concerned.

(iv) If the petitioner is found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.

(v) The learned Court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bond in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

8. Accordingly, the prayer for bail is allowed.

(Alok Kumar Sinha, J)

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