

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56722 of 2025

Arising Out of PS. Case No.-164 Year-2019 Thana- KHIJARSARAI District- Gaya

Pappu Yadav @ Ram Niwas Yadav S/O Late Ambika Yadav R/O Village-Satamas, P.S- Khizersarai, Distt.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Krishna Prasad Singh, Sr. Advocate Mr. Rakesh Singh, Advocate
For the State	:	Mr. Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 17-10-2025 Heard learned senior counsel appearing on behalf of the petitioner and learned A.P.P. appearing on behalf of the State.

2. The petitioner seeks bail in a case registered for the offence punishable under Sections 302, 120B and 34 of the Indian Penal Code and Section 27 of the Arms Act.

3. The prosecution case, in brief, is that in the night of 12-13.06.2019, the informant, alongwith his family members, was sleeping in his house, whereas father of the informant was sleeping in the courtyard situated on the side of Devi Asthan. It is alleged that around 2:30 AM in the night, the informant heard sound of firing and when he went outside his house with torch, he saw four accused persons, including this petitioner, fleeing



away, whereafter the villagers also assembled at the place of occurrence and when the informant went there, he found that two bullets had hit his father, one near right ear and the other on his chest, resulting to his death.

4. It is submitted by learned senior counsel for the petitioner that petitioner is quite innocent and has committed no offence. There is no eye-witness to the occurrence. As per F.I.R., this petitioner was only seen fleeing away from the place of occurrence along with other co-accused persons. There is no specific allegation against this petitioner of having fired gun shots on the father of the informant resulting to his death and this petitioner is having no complicity in the matter. Similarly situated co-accused persons, namely Kavindra Kumar and Rajendra Yadav, have already been granted bail by this Hon'ble Court vide order dated 23.02.2021 passed in Cr. Misc. No. 20345 of 2020. Charge-sheet has already been submitted and petitioner is in custody since 19.02.2025.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the facts and circumstances of the case, general and omnibus nature of accusation, claim based on parity and period of custody, the prayer for grant of bail to the



petitioner is allowed.

7. Accordingly, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Gaya in connection with Khizersarai P.S. Case No. 164 of 2019.

(Prabhat Kumar Singh, J)

shashank/-

U		T	
---	--	---	--

