

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18411 of 2022**

Arising Out of PS. Case No.-107 Year-2020 Thana- PANAPUR District- Saran

=====

Pappu Rai @ Pappu Kumar Yadav Son of Loha Rai Resident of village -
Satjora Tola, P.S.- Panapur, District - Saran (Chapra).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Singh, Advocate
For the Opposite Party/s : Ms.Nirmala Kumari, APP

=====

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

3 12-09-2022 Let the defects, as pointed out by the office, be

removed within four weeks of starting of Court proceeding in

physical mode in normal course.

Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in a case registered for the
offence under Sections 364,302,120(B),201/34 of the Indian
Penal Code.

As per the F.I.R., on 17.07.2020 at about 4:30 PM,
petitioner alongwith three co-accused came at the house of
informant and took her husband on motorcycle and thereafter,
husband of informant did not return. During search, on
19.07.2020 at about 3:00 PM, the dead-body of her husband was
found floating in water.



Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent. He has falsely been implicated in the present case. He further submits that the present case is based on circumstantial evidence and since the petitioner and other co-accused were last seen so the petitioner has falsely been implicated in the present case. Further submits that during investigation no cogent material has come against the petitioner and the co-accused namely Raju Yadav @ Mister has been granted bail vide order dated 29.06.2022 in Cr. Misc. No.29434 of 2021 by a Coordinate Bench of this Hon'ble Court and several other co-accused persons have also been granted bail by different Coordinate Benches of this Hon'ble Court. Further submits that the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 13.09.2020.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and period of custody, let the petitioner, above named, be released 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 court below where the case is pending in connection with Panapur P.S. Case



No. 107 of 2020 corresponding to S.Tr.No.216 of 2021 with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the 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 bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Nitesh/-

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

