

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62248 of 2021

Arising Out of PS. Case No.-204 Year-2020 Thana- DULHIN BAZAR District- Patna

PAPPU YADAV @ PAPPU KUMAR S/o Suresh Yadav @ Suresh Singh
Resident of Village - Bahadurganj, P.S. - Sigori, District - Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sinha, Advocate
For the Opposite Party/s : Mr. Ram Naresh Ray, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 14-07-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 302, 201 of the Indian Penal Code read with Section 27 of the Arms Act.

Learned counsel for the petitioner submits that petitioner is a person with clean antecedent.

The informant alleges that his younger brother Dilip Kumar had left the house on 21.10.2020 and the family members were thinking that he might have gone in some election matter but when he did not return for two days and his mobile was found switched off then search was made. On 30.10.2020, the informant came to know that a dead body was lying in a *Payeen* of Pasaurha field, accordingly, he went to the place of occurrence and identified the dead body of his brother.



Learned counsel for the petitioner submits that the FIR is against unknown and the petitioner by way of afterthought came to be implicated by the informant when his subsequent statement was recorded by the police. Learned counsel draws the attention of the Court to the impugned order to submit that the learned court below in great detail has recorded the further statement/subsequent statement of the informant at para 12 of the case diary, wherein he has stated that after cremating the dead body when the family member came back and started discussing then they realized that the accused persons named therein along with the petitioner might have killed the deceased. Learned counsel, thus, submits that the manner in which the informant in his subsequent statement had disclosed about the occurrence with such vividness is just not possible and the same is not mentioned in the FIR.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner and the fact that the petitioner is a person with clean antecedent, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on



anticipatory bail on furnishing bail bonds 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 Dulhin Bazar
P.S. Case No. 204 of 2020, subject to the conditions as laid
down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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