

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.36865 of 2023**

Arising Out of PS. Case No.-352 Year-2022 Thana- PIPRA District- East Champaran

MITHU PRASAD S/O PAPPU PRASAD, R/O Village Madhurapur, P.S.  
Pipra, Dist. East Champaran, Motihari

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Anuj Kumar

For the Opposite Party/s : Mr.Md. Aslam Ansari

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR  
PANDEY**

ORAL ORDER

2      03-07-2023                      Heard the learned counsel for the petitioner as well as  
the learned Additional Public Prosecutor for the State.

The petitioner is seeking regular bail in connection with Pipra P.S. Case No. 352 of 2022, registered for offence punishable under section 302/34 of the Indian Penal Code.

As per allegation, when the informant was in her house, the petitioner, along with his father Pappu Prasad, came with *Lathi, Danda*, etc. They assaulted her husband and co-accused Pappu Prasad put his leg on the throat of her husband, resulting into his death.

The learned counsel for the petitioner has submitted that the causing the death by putting leg on the throat of deceased, is against co-accused Pappu Prasad, the father of the



petitioner, and not against the petitioner. There is land dispute between the parties and the petitioner is a person of clean antecedent. He is under custody since 09.12.2022. He has falsely been implicated because he is son of Pappu Prasad.

Considering the above-mentioned facts and circumstances, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand rupees) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran, Motihari in connection with Pipra P.S. Case No.352 of 2022, subject to the following conditions:-

- (i) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.
- (ii) If the petitioner is found involved in future in the similar type of offence, his bail bond shall be liable to be cancelled.

**(Nawneet Kumar Pandey, J)**

Mahesh/-

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