

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39939 of 2023

Arising Out of PS. Case No.-308 Year-2022 Thana- HILSA District- Nalanda

=====

Pappu Kumar @ Pappu Mahto son of Ramji Prasad @ Ramjee Mahto,
Village- Ganpatbigha (Dayalpur), PS- Hilsa, Distt.- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance:

For the Petitioner/s : Mr. Rajeev Kumar, Advocate

For the Opposite Party/s : Mr. Narsingh Tanti, APP

=====

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 2 17-07-2023 1. Heard learned counsel for the petitioner and the learned
APP for the State.
2. Petitioner seeks regular bail in connection with Hilsa P.S.
Case No. 308 of 2022 dated 04.05.2022 registered for the
offences punishable under Sections 302/34 of Indian Penal Code
and Section 27 of Arms Act.
3. The main submissions advanced by learned counsel for
petitioner are that the petitioner is not named in the FIR, the
main allegation is against co-accused Shankar Mahto, who has
been granted anticipatory bail by the trial Court and the name of
the assailant who committed the alleged crime are specifically
mentioned in the FIR and there is no details of any unknown
persons being involved in the alleged crime in the FIR, so no
allegation appears against this petitioner and he has been falsely

roped in the alleged crime during investigation. Further submissions are that the petitioner has been languishing in jail since 05.04.2023, and there is no independent witness of the alleged occurrence and petitioner has fair and clean antecedent.

4. Learned APP for the State opposes the bail prayer of the petitioner.

5. Considering the above submissions and mainly the facts that that the petitioner is not named in the FIR and there is specific details of the persons who committed the alleged crime in the FIR, but the name of this petitioner does not find place in the FIR and he has fair and clean antecedent and the main accused Shankar Mahto, who committed the alleged crime has been granted anticipatory bail by the trial Court itself, in my opinion, it is a fit case for bail to the petitioner. Accordingly, let the petitioner named above 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 concerned Court in connection with **Hilsa P.S. Case No. 308 of 2022.**

(Shailendra Singh, J)

Shahnawaz/-

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