

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77175 of 2023

Arising Out of PS. Case No.-487 Year-2022 Thana- LAHERIMUHALLA District- Nalanda

Md. Pappu Son of Late Md. Rafique R/o vill - Mirdol, P.S. - Bihar, Distt. -
Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Raj Kishor Prasad, Advocate
For the State : Mr. Umanath Mishra, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 06-12-2023 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Laheri
P.S. Case No. 487 of 2022 instituted for the offence under
Sections 394, 307, 395, 397 of the Indian Penal Code and 27 of
the Arms Act.

3. The allegation against the petitioner is to commit
dacoity along with other unknown co-accused persons and while
committing so, open fire upon the informant and his family
members, causing bullet injuries.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 21-07-2023. Petitioner
bear one criminal antecedents, as per disclosure made in



paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Name of the petitioner has been surfaced in this case due to confessional statement of co-accused, namely, Md. Chhotu @Shahbaj, who has been granted bail by this Court vide order dated 04-12-2023 passed in Cr. Misc. No. 76608 of 2023. Other co-accused has also been granted bail by Co-ordinate Bench of this Court vide order dated 07-08-2023, passed in Cr. Misc. No. 47223 of 2023.

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

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner and claim based on parity, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Laheri P.S. Case No. 487 of 2022 subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.



(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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