

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22452 of 2024

Arising Out of PS. Case No.-68 Year-2023 Thana- BIHARIGANJ District- Madhepura

Pappu Kumar Son Of Fuchan Das @ Phoochan Das Resident Of Village-
Pararia, Kabir Nagar, Thutha, Ward No. 7, Ps- Bihariganj, Distt- Madhepura
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Chandra Sen Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 20-03-2024 Heard learned senior counsel for the petitioner and
learned Additional Public Prosecutor for the State.

2. The petitioner seeks bail in connection with Bihariganj PS Case No. 68 of 2023 dated 19.03.2023, instituted for the offence punishable under Section 302 of the Indian Penal Code and Section 27 of the Arms Act.

3. The prosecution story, in short, is that on the alleged date of occurrence at about 10.15 AM, the informant's father Krishna Kumar was sitting in his shop "Maa Ambey Traders" at Babhangama Tulsiya Chowk. Three persons came on a motorcycle and started firing indiscriminately upon the informant's father. On hearing the sound of firing, nearby people came and the informant's father was brought to a private clinic at Bihariganj where the doctor declared him dead.



4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is submitted that FIR has been lodged against three unknown persons. The petitioner is not named in the F.I.R. Learned counsel for the petitioner submits that during investigation, the name of the petitioner has come. Learned counsel for the petitioner submits that from bare perusal of the impugned order, it appears that petitioner has made confessional statement before the police regarding his guilt in commission of murder of the deceased Krishna Kumar, but petitioner has no knowledge about the alleged occurrence. Similarly situated co-accused, namely, Md. Kabil, Md. Naushad Alam and Rahul Kumar have been granted bail vide order dated 30.08.2023, 30.08.2023 and 05.09.2023 passed by this Court as well as co-ordinate Bench of this Court in Criminal Miscellaneous No. 55546 of 2023, Criminal Miscellaneous No. 55142 of 2023 and Criminal Miscellaneous No.56599 of 2023 respectively. The petitioner is in custody since 04.09.2023 and one criminal case is pending against him.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let



the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned SDJM, Udakishunganj, Madhepura, in Bihariganj PS Case No. 68 of 2023.

(Khatim Reza, J)

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