

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30328 of 2024

Arising Out of PS. Case No.-334 Year-2020 Thana- BARHARIA District- Siwan

Pappu Khan @ Imran Alam Son Of Late Idrish Miya @ Idrish Khan Resident
Of Village - Rohra Kala Kailgarh, P.S. - Barharia, District - Siwan, Bihar

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prashant Kumar

For the Opposite Party/s : Mr.Jagdhara Prasad

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 04-10-2024 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner seeks bail in a case registered for the
offences punishable under Sections 341, 323, 307, 504, 506 and
34 of the Indian Penal Code and Section 27 of the Arms Act.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of six cases and is in custody since 23-
1-2024.

4. The learned counsel for the petitioner submits that
from perusal of pleadings made at para-3 of the regular bail
application, it would manifest that most of the cases against the
petitioner were filed in between 2001-2006 and the sixth case
was filed in the year 2015. It is submitted that no doubt
petitioner was involved in six cases, but then because of his



antecedents, he has been implicated in the instant case by the informant, who alleges that petitioner and Anil were fighting, accordingly informant intervened to pacify when petitioner fired causing fire-arm injury on his right hand. It is next submitted that it absolutely does not stand to reason that as to why the informant interfered when it is alleged that petitioner was fighting with Anil. It is next submitted that petitioner had instituted Barharia P.S. Case No. 335 of 2020 dated 15-11-2020 against the informant and his side with an allegation that it were the informant and his side who were the aggressors and they assaulted the petitioner and his two brothers brutally as would manifest from the injury report of the petitioner and his brothers annexed as Annexure-3 and 4 series. It is next submitted that charges have been framed. It is further submitted that in the event if petitioner is granted the privilege of regular bail, the petitioner will not abscond rather will cooperate in the trial to prove his innocence.

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

6. Considering the submission made by learned counsel for the petitioner, let the petitioner above named be released on bail on furnishing bail bond of Rs. 50,000/- (Rupees



Fifty Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Barharia P.S. Case No. 334 of 2020.

7. One of the bailors of the petitioner shall be his cousin brother, Md. Munna Khan.

8. However, it is made clear that if the learned trial court comes to a conclusion that the petitioner after his release is trying to delay the trial in any manner, the learned trial court shall be at liberty to forthwith cancel the bail bonds of the petitioner and to take all coercive steps to ensure that petitioner is behind bars.

(Satyavrat Verma, J)

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