

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41966 of 2024

Arising Out of PS. Case No.-675 Year-2022 Thana- BAHADURPUR District- Darbhanga

PAPPU SINGH @ PAPPU KUMAR SINGH SON OF SURESH SINGH
Resident of village- khaira, P.S- Bahadurpur (Pastore O.P), District-
Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Ms. Anju Jha, Advocate
For the State : Mr. Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 13-09-2024 Heard learned counsels for the parties.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 365, 302, 120B and 34 of the Indian Penal Code.

3. The prosecution case in brief is that elder brother of the informant, namely Ram Dev Mandal, was mentally unstable and all the F.I.R. named accused persons, including this petitioner, kidnapped elder brother of informant on account of his illness and made several lands registered in their names and in the names of others and thereafter killed elder brother of informant.

4. It is submitted by learned counsel appearing on behalf of the petitioner that petitioner is innocent and has falsely



been implicated in this case. Informant is not an eye witness of the alleged occurrence and only a suspicion has been raised against this petitioner on account of the fact that this petitioner, along with other accused persons, got some land registered by the elder brother of the informant. As a matter of fact, the deceased, Ram Dev Mandal, was seriously ill and was under treatment of Dr. U. C. Jha from 10.12.2022 to 20.12.2022. Subsequently, the deceased was referred to R. B. Memorial Hospital, Darbhanga, and then to higher medical center for better treatment. In the *post mortem* report, aluminum phosphide was detected in the body of the deceased, which is commercially known as *Celphos*. It is further submitted that the deceased might have committed suicide due to his illness and mental condition. Similarly situated co-accused, namely *Suman Kumar Jha @ Sumanjee Jha*, has already been granted the privilege of anticipatory bail by this Hon'ble Court vide order dated 21.08.2024 passed in *Cr. Misc. No. 49763 of 2024*.

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

6. Considering the aforesaid facts and circumstances, nature of accusation and claim based on parity, the prayer for



grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioner 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 learned Chief Judicial Magistrate, Darbhanga, in connection with Bahadurpur (Patore O.P.) P.S. Case No. 675 of 2022, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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