

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46497 of 2024

Arising Out of PS. Case No.-5 Year-2024 Thana- DARPA District- East Champaran

Pappu Miya @ Md Alkama S/O Shekh Amiruddin R/O Mokhilipur
Banjariya Semra Khas, P.S. Banjariya, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Patanjali Rishi, Advocate Mr. Kundan Kumar, Advocate
For the State	:	Mr. Ahmad Ali, APP
For the Informant	:	Mr. Binod Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

3 26-10-2024 Heard learned. counsel for the petitioner, learned APP
for the State and learned counsel for the Informant.

2. The petitioner apprehends his arrest in connection with Darpa P.S. Case No. 5 of 2024 dated 12.01.2024, registered for the offences punishable under Sections 302, 201 and 120-B of the Indian Penal Code.

3. As per the FIR, there is allegation of committing murder against the accused persons, including the petitioner.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. As per the prosecution case, there is no eye-witness to the alleged occurrence. The whole case of the prosecution is based on circumstantial evidence and suspicion against the petitioner.



He further submits that as per the suicide note found from the pocket of the deceased addressed to the local S.H.O., he has committed suicide.

5. It is also stated in paragraph no. 2 of the petition that petitioner has never moved before this Hon'ble Court for grant of Anticipatory bail or Regular bail.

6. However, Ld. APP for the State and learned counsel for the Informant vehemently oppose the prayer of the petitioner for bail submitting that the alleged offence is serious in nature and the petitioner is one of the named accused persons in the FIR and there is strong circumstance against him because there is strong motive of the petitioner to commit the offence because the woods in regard to which dispute had arisen belongs to the petitioner. As per the statement of the witnesses, despite purchase of that wood belonging to the petitioner, the deceased was not getting it and dispute had arisen. He further submits that the case is still at the stage of investigation and the petitioner does not deserve to be enlarged on anticipatory bail.

7. Considering the serious nature of allegation and material on record, I am not persuaded to enlarge the petitioner on anticipatory bail.

8. Accordingly, the prayer of the petitioner for



anticipatory bail stands rejected.

(Jitendra Kumar, J)

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