

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49409 of 2024

Arising Out of PS. Case No.-83 Year-2022 Thana- DHANGAI District- Gaya

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Pappu Kumar @ Pappu Yadav son of Kishun Yadav Village -Rebda PS
-Dhangai Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vijay Kumar

For the Opposite Party/s : Mr.Ajay Kumar No. 2

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 3 23-08-2024 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor representing the State.
2. The petitioner seeks regular bail in connection with Dhangai Police Station Case No. 83 of 2022, registered for the offence punishable under Sections 302/201/34 of the Indian Penal Code.
3. The prosecution case, as per the First Information Report, is that on 27.11.2022, at about 7:00 PM, the petitioner along with other co-accused persons, altogether six in number, arrived at the house of the informant and took her husband along with them on motorcycle. It is further alleged that the informant's husband did not return in the night and in the morning, his dead body was found near a brick kiln.



4. Learned Counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case due to previous land dispute. He further submits that from the First Information Report, it appears that the informant is not an eye-witness to the occurrence and the petitioner has been implicated merely on the basis of suspicion. He further submits that from the postmortem examination report (Annexure-2), the doctor has found that the cause of death is head and brain injury due to road accident. He further submits that other co-accused Rajendra Yadav has been granted anticipatory bail, vide order, dated 30.08.2023, passed in Criminal Misc. No. 32754 of 2023. He next submits that co-accused persons, namely, Hardev Yadav, Guddu Kumar, Gaya Kumar and Rana @ Mahapratap Yadav, have been granted regular bail by this Court, vide orders, passed in Criminal Misc. Nos. 32035 of 2023, 29008 of 2024, 29071 of 2024 and 29120 of 2024.
5. Regards being had to the submissions made by the parties and taking into consideration the fact that there was previous land dispute between the parties, the cause of death is road accident as per the postmortem report and



other co-accused persons have been granted anticipatory bail and regular bail by this Court, I am inclined to grant regular bail to the petitioner.

- 6. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount, each to the satisfaction of learned Judicial Magistrate, 1st Class, Sherghati at Gaya, in connection to the Dhangai Police Station Case No. 83 of 2022.
- 7. This is subject to the condition that the petitioner shall present himself before the Court, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bond shall be liable to be cancelled.

Prabhakar Anand/-

(Anil Kumar Sinha, J.)

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