

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.52810 of 2024**

Arising Out of PS. Case No.-524 Year-2023 Thana- BANIAPUR District- Saran

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Pappu Kumar Mahto @ Pappu Kumar, Son of Kanhaiya Mahto, Resident of  
Vill- Machhuari Tola, P.S.- Baniyapur, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Krishna Kumar Yadav, Advocate

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

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**CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH**  
**ORAL ORDER**

2      02-09-2024                      1.    Heard learned counsel for the petitioner and the  
learned APP for the State.

2.    The petitioner apprehends his arrest in connection  
with Baniyapur P.S. Case No. 524 of 2023 dated 04.12.2023  
registered for the offence(s) punishable under Section(s) 341,  
323, 376 and 511 of the Indian Penal Code.

3.    Learned counsel appearing for the petitioner  
submits that the petitioner is innocent and has falsely been  
implicated in this case and the informant is his next door  
neighbour and due to previous grudge of enmity, conspired the  
false allegation against the petitioner and FIR was lodged after a  
delay of five days without any explanation. It is further  
submitted that the petitioner has got no criminal antecedent.

4.    Learned APP appearing for the State has opposed  
the bail prayer.



5. Having considered the submissions noted hereinabove and mainly the facts that both the parties are next door neighbours, as appears from the order impugned, and the petitioner is said to be a 23 year old person having fair and clean antecedent and the petitioner has taken the defence that the informant was willing to get her younger sister married to the petitioner which was not acceptable to the petitioner's family and thereafter, a false story was fabricated and also taking into account the delay of five days which took place on the part of the informant in lodging the FIR, in my opinion, in the said circumstances, the petitioner deserves to the privilege of anticipatory bail. Accordingly, let the petitioner named-above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail in connection with Baniyapur P.S. Case No. 524 of 2023 on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

**(Shailendra Singh, J)**

Rajiv/-

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