

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81899 of 2023

Arising Out of PS. Case No.-142 Year-2017 Thana- PARSA District- Saran

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PAPPU KUMAR @ PAPPU KUMAR RAI S/O MANAGER RAI R/O
VILLAGE- BHALWAHIYA, P.S- PARSA, DISTT.- SARAN AT CHAPRA.

... .. Petitioner/s

Versus

1. The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ram Binod Singh

For the Opposite Party/s : Mr.Rajiv Nayan

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 19-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 147, 148, 149, 341, 323, 324, 307, 427, 435, 302 of the Indian Penal Code and sections 3/4 of Explosive Substance Act.

3. As per prosecution case, allegation against the petitioner along with other FIR named accused persons is of assaulting the informant due to which he sustained injury and died during course of treatment. The petitioner is specifically been alleged to assault by means of *bhala* as a result of which left finger of the informant was cut.

4. Learned counsel for the petitioner submits that



the petitioner is innocent and has committed no offence. He has falsely been implicated in this case due to old dispute between the parties. It is also submitted that the specific overt-act of hurling bomb on the informant is against co-accused Raghubansh Rai. The only allegation against this petitioner to cut the finger of the informant by means of *bhala*. There is also case and counter case in which one person was died from petitioner's side. The petitioner has got no criminal antecedent as stated in para-3 of the bail petition and he is languishing in judicial custody since 2.8.2023. Other co-accused Manager Rai has already been enlarged on bail granted by co-ordinate Bench of this Court vide order dt 3.4.2018 passed in Cr. Misc. No. 5300 of 2018.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail **after framing of charge** in connection with Parsa P.S. Case No. 142 of 2017 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like



amount each to the satisfaction of learned ACJM-13, Saran at
Chhapra.

(Sunil Kumar Panwar, J)

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