

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2312 of 2024

Arising Out of PS. Case No.-197 Year-2023 Thana- RAGHOPUR District- Supaul

Pappu Kumar Mehta @ Pappu Kumar Son of Jamun Mehta Resident of
Village - Satanpatti, Ward No. 9, P.S.- Ratanpur, District- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nafisu Zzoha, Advocate

For the Opposite Party/s : Mr. Surendra Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 29-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Raghopur P.S. Case No.
197 of 2023, instituted for the offences punishable under
Sections 307, 302, 394/34 of the Indian Penal Code and Section
27 of the Arms Act.

3. The prosecution case, in nutshell, is that while the
informant along with one Dilip Kumar Yadav was going on
motorcycle, three miscreants on a motorcycle stopped them and
fired upon the informant and Dilip Kumar Yadav, due to which
informant sustained fire arm injury and Dilip Kumar Yadav
succumbed to injuries. It is further alleged that miscreants also
took gold chain and gold ring from the possession of informant.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the



present case merely on suspicion. The petitioner has not been put on Test Identification Parade. The petitioner has one criminal antecedent as has been stated in paragraph no. 3 of the present bail application. The petitioner is languishing in judicial custody since 25.05.2023. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted bail by a Co-ordinate Bench of this Court vide order dated 09.01.2024 passed in Cr. Misc. No. 79062 of 2023.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the entire facts and circumstances of the case, the period of custody undergone by the petitioner and claim based on parity, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Raghopur P.S. Case No. 197 of 2023.

(Rudra Prakash Mishra, J)

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