

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5958 of 2025

Arising Out of PS. Case No.-234 Year-2024 Thana- AHYAPUR District- Muzaffarpur

Pappu Kumar S/O Bhagwan Lal Mahto R/O Village- Vishunpur Damaodar @
Mahpur, P.S- Ahayapur (O.P Garha), Distt.- Muzaffarpur ... Petitioner
Versus

The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar, Advocate

For the Opposite Party/s : Mr.Raj Kishor Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 28-04-2025 Heard learned counsel for the petitioner and the State.

2. The petitioner apprehends arrest in a case registered for the offence punishable under sections 302/34 of the Indian Penal Code.

3. As per the prosecution case, informant received information that his son was killed by the petitioner and co-accused Ranjay Mahto by strangulation in a planned conspiracy. Body of deceased was found hanging from a Litchi tree.

4. Learned counsel appearing for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case on the basis of suspicion. From perusal of the FIR itself it is clear that allegation of phone call is against co-accused Ranjay Mahto, who is Sadhu of the deceased and there is no allegation of any overt act against the petitioner. Learned counsel submits that save and except suspicion, there is no other direct or indirect evidence against the petitioner to



show his complicity in the occurrence. F.I.R. has been lodged after delay of eight days without any explanation which renders the entire prosecution case doubtful. Petitioner claims clean antecedent.

5. Learned counsel for the State opposes the prayer for bail.

6. Considering the aforesaid facts of the case, prayer for bail of the petitioner is allowed. In the event of arrest/surrender within eight weeks from today, let the petitioner, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Muzaffarpur in Ahiyapur Police Station (Garha OP) Case No. 234 of 2024, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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