

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11680 of 2025

Arising Out of PS. Case No.-278 Year-2024 Thana- PARAIYA District- Gaya

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Pappu Kumar S/O Ganauri Singh Resident of Village and P.O- Punakala, P.S.-
Paraiya, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shashikant, Advocate

For the Opposite Party/s : Mr.Nand Kishore Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

5 02-07-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. In this present case, the petitioner seeks bail in connection with Paraiya P.S. Case No. 278 of 2024 registered for the offences under Sections 103/3(5) of the BNS.

3. As per prosecution case, nephew of the informant went missing and a day after, his dead body was recovered. The name of the petitioner transpired during investigation as one of the accused who was involved in the murder of the victim.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. There is no eye-witness to the alleged occurrence and the whole case is based on circumstantial evidence but there is no cogent material to show



the involvement of the petitioner. Police apprehended the petitioner and recorded his confessional statement in which he also disclosed the name of another co-accused. Except for this confessional statement there is no material against the petitioner who is younger brother of the deceased and there is no motive for killing his own brother. Petitioner is having clean antecedent. Petitioner is in custody since 12.09.2024 and charge-sheet has been submitted. Co-accused Satish Kumar has been granted bail by a Co-ordinate Bench of this Court vide order dated 19.04.2025 passed in Cr. Misc. No. 5980 of 2025.

5. Learned A.P.P. opposes the submission made on behalf of the petitioner. Learned APP submits that petitioner was having illicit relationship with the wife of the deceased and that was the motive for committing the murder of his own brother.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the remoteness of allegation and further considering lack of substantive material against the petitioner and also considering the clean antecedent of the petitioner coupled with his period of custody and submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties



of the like amount each to the satisfaction of learned J.M.-1st Class, Gaya/concerned court in connection with Paraiya P.S. Case No. 278 of 2024, subject to the conditions mentioned in Section 480(3) of the B.N.S.S. and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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