

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25798 of 2025

Arising Out of PS. Case No.-5 Year-2024 Thana- DARPA District- East Champaran

Pappu Miya @ Md. Alkama @ Md. Alkam S/o- Sheikh Amiruddin Resident
of Village - Mokhilipur, Banjariya Semra Khas, P.S. - Banjariya, District -
East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Murli Dhar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 15-05-2025 Heard the learned counsel for the petitioner and the
learned Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail in connection with
Darpa P.S. Case No. 05 of 2024, registered for the offences
punishable under Sections 302, 201 and 120(B) of the Indian Penal
Code. Petitioner has clean antecedent.

3. As per the prosecution case, the accused persons had
committed the murder of the father of the informant and hide his
dead body in the shop

4. The learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this case. He
further submits that from plain reading of the FIR, it is evident that
his name has only been stated during the transaction which had taken
place between Arjun Singh and Sah Mohammad. The learned counsel
has further stated that there is not an iota of suspicion even raised



against the petitioner. It has also been submitted that it was on account of non-fulfillment of demand by the persons who had lended money to the deceased, the deceased had committed suicide. It has also been submitted that from the postmortem of the deceased it is clear that the cause of death is asphyxia due to hanging. It has lastly been submitted that the petitioner has clean antecedent and he is in custody since 17.12.2024.

5. The learned Additional Public Prosecutor for the State has opposed the prayer for bail and has stated that the petitioner is involved in the killing of the father of the informant and hence he does not deserve the liberty of bail.

6. Considering the aforesaid facts and circumstances and taking into account that there is no specific allegation against the petitioner and also the fact that the co-accused, namely, Umesh Sah has been granted bail by a Co-ordinate Bench of this Court *vide* order dated 13.05.2025, passed in Criminal Misc. No. 11066 of 2025, I am inclined to grant the petitioner privilege of regular bail.

7. Accordingly, the prayer for bail is allowed.

8. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the court of learned Judicial Magistrate, 1st Class, Raxaul at East Champaran,



Motihari, in connection with Darpa P.S. Case No. 05 of 2024,
subject to the following conditions:-

(i) One of the bailors of the petitioner shall be his close
relative and the other shall be local resident.

(ii) The petitioner shall remain physically present in
Court on each date of the trial.

(iii) In case of absence on two 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.

(iv) And further condition that the court below shall
verify the criminal antecedent of the petitioner and in case at any
stage it is found that the petitioner has concealed his criminal
antecedent, the court below shall take step for cancellation of bail
bond of the petitioner. However, the acceptance of bail bonds in
terms of the above-mentioned order shall not be delayed for
purpose of or in the name of verification.

(Sourendra Pandey, J)

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