

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41611 of 2025

Arising Out of PS. Case No.-80 Year-2022 Thana- BELCHHI District- Patna

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Pappu Kumar Son of Late Rashbihari Yadav Resident of Village- Udhawapar,
PS- Belchchi, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Binit Kumar, Adv.
For the Opposite Party/s	:	Mr. Satya Nand Shukla, APP
For the Informant	:	Mr. Anil Kumar Singh, Adv.

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 09-07-2025 Heard learned counsel for the petitioner, learned
A.P.P. for the State as well as learned counsel for the informant.

2. The petitioner apprehends arrest in connection with
Belchchi P.S. Case No. 80 of 2022 dated 20.09.2022, registered
for the offence punishable under Section 302/34 of the Indian
Penal Code and Section 27 of the Arms Act.

3. The prosecution case, in short, is that on the date of
occurrence the informant received information on his mobile
from his maternal uncle that his brother Sone Lal Yadav has
sustained fire arm injury and has been admitted at Sadar
Hospital, Barh, Patna. It has been further alleged that during
course of treatment, the injured Sone Lal Yadav succumbed to
his injury. The petitioner and other accused are alleged to have



caused fire arm injury to the deceased. The petitioner is said to have caught the deceased while Deepak Kumar is alleged to have fire on his chest.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is submitted that the petitioner has been named in the F.I.R.. After investigation, the police has submitted final form against the petitioner. It is submitted that no protest was filed by the informant against the petitioner. It is submitted that during trial summons under Section 319 Cr.P.C. has been issued on the basis of ocular evidence of PWs. It is submitted that the police had submitted final form against the petitioner and he was exonerated and was not sent up for trial on the basis of CCTV footage of official CCTV. The CCTV footage shows that at time of occurrence, the petitioner was present at Biharsharif approximately 30 kms away from the place of occurrence. It is further submitted that the final form was accepted by the learned court below. Lastly, it has been submitted that he has no criminal antecedent.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. On the other hand, learned counsel for the



informant vehemently opposed the prayer for bail of the petitioner and submitted that four witnesses have disclosed the name of the petitioner, who is said to have actively participated in the said crime.

7. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Belchchi P.S. Case No. 80 of 2022, he shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Barh, Patna, subject to condition as laid down under Section 438(2) of the Cr.P.C..

(Khatim Reza, J)

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