

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56101 of 2025

Arising Out of PS. Case No.-79 Year-2016 Thana- RAMGARH District- Kaimur (Bhabua)

Pappu Upadhyay @ Prem Shankar Upadhyay S/o Shashinath Upadhyay R/o
Village - Ahiwas, Tola Mathiya, P.S - Ramgarh, District - Kaimur at Bhabua

... .. Petitioner/s

Versus

1. The State of Bihar
2. Manju Devi W/o Radheshyam Chaubey R/o Village - Mathiya, P.S -
Ramgarh, District - Kaimur at Bhabua

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan, Advocate

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

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

ORAL ORDER

2 20-08-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Ramgarh P.S. Case No. 79 of 2016 instituted for the offence
under Sections 341, 323, 379, 504 & 34 of the Indian Penal
Code.

3. Prosecution case, in short, is that on 28.04.2016
informant minor daughter was subjected to an obscene act by
co-accused Shashinath Upadhyay while returning from fetching
water. When the informant protested, she was assaulted, and her
other daughters who intervened were also attacked. During the
incident, the accused allegedly snatched a gold chain from the



informant and her daughters.

4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 19-07-2025. Petitioner bears no criminal antecedent, as per disclosure made in paragraph No. 3 of the bail application.

5. The present one is the misuse of privilege of bail. Learned counsel for the petitioner submits that the petitioner could not appear before the trial court as his wife was under treatment at Surat and subsequently delivered a child through surgery on 24.02.2025. It is further submitted that due to his absence, his bail bond was cancelled on 30.01.2025, but thereafter he voluntarily surrendered before the court on 19.07.2025, yet his prayer for bail was rejected. Learned counsel for the petitioner submits that petitioner is ready to appear on each date fixed by the court below.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case and period of custody of the petitioner this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 15,000/- (Fifteen Thousand) with two sureties



of the like amount each to the satisfaction of Court
below/concerned Court in connection with Ramgarh P.S. Case
No. 79 of 2016.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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