

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25692 of 2026

Arising Out of PS. Case No.-32 Year-2009 Thana- PATAHI District- East Champaran

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Pappu Sah @ Prem Chandra Prasad S/O Brahmdeo Sah R/O vill - Bakhari,
P.S - Patahi, Dist-East Champaran Petitioner/s

Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Ranjan, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 22-04-2026 Heard Mr. Rajesh Ranjan, learned counsel for the

petitioner and Mr. Manoj Kumar, learned Additional Public

Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
15.01.2026 in connection with Patahi P.S. Case No. 32 of 2009,
F.I.R. dated 12.05.2009 for the offences punishable under
Sections 307 and 34 of the IPC and Sections 3/4 of the
Explosive Substance Act.

3. According to prosecution case, all the accused
persons including this petitioner were standing on road waiting
for the informant and in the meantime, co-accused Arun Sah and
Sonu Sah threw bomb upon him and fled away.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been
implicated in the present case. The allegation as alleged in the
FIR is false and fabricated and the petitioner has not committed



any offence as alleged in the FIR. From perusal of the FIR it appears that the co-accused Arun Sah and Sonu Sah have thrown bomb upon the informant. He further submits that the name of the petitioner has been transpired because he was present at the place of occurrence. He further submits that the final form has been submitted in favour of the petitioner but the learned court below in a mechanical manner has taken cognizance against the petitioner vide order dated 16.12.2010 but the petitioner has not received any notice from the learned court below and thereafter, the petitioner has surrendered on 15.01.2026.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances that the petitioner has clean antecedent, there is no specific allegation against the petitioner and police have submitted final form in favour of the petitioner but he learned court below in a mechanical manner has taken cognizance against the petitioner, 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 learned J.M. 1st Class, Motihari, East Champaran in connection with Patahi P.S.



Case No. 32 of 2009, subject to the following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. 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.

(Rajesh Kumar Verma, J)

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