

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 38902 of 2026**

Arising Out of P.S. Case No.-59, Year-2026, Thana- KISHANGANJ, District-
Kishanganj

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Pappu @ Pappu Sah @ Pappu Shah @ Pappu Saha, S/o-Dukhan Lal Shah, Resident of
Ward No. 12, Gaytri Mandir, P.S.- Kishanganj, District- Kishanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Rajendra Nath Jha, Advocate

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CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 17-06-2026 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Kishanganj P.S. Case No. 59 of 2026 registered for the offence(s) under Section(s) 318(4), 316(2), 338, 111(2) and 61(2) of the Bharatiya Nyaya Sanhita, 2023 (B.N.S.).

3. As per the prosecution case, the police on secret information conducted a raid and apprehended around five persons who was found to be involved in dealing with lottery tickets and cash was recovered from search. It is alleged that during the course of interrogation, the apprehended co-accused namely Md. Nasim disclosed that several other persons were involved in purchasing tickets and selling it in the market and the petitioner was one of those persons.

4. The learned counsel for the petitioner submits that the petitioner has falsely been implicated on the disclosure made



by the co-accused. It has further been submitted that the petitioner has no concern with the said incident and he is not involved in any such selling of the lottery tickets and on account of the personal disputes with the co-accused, his name has transpired. It has lastly been submitted that the petitioner has clean antecedent.

5. The learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

6. Considering the facts and circumstances of the case and the submissions advanced on behalf of the parties, let the petitioner, above-named, be released on anticipatory bail, in the event of his arrest or surrender before the concerned Court/successor Court within a period of four weeks from today, on his/her furnishing bail bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the concerned Court/successor Court where the case is pending in connection with Kishanganj P.S. Case No. 59 of 2026, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 read with corresponding Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 (B.N.S.S.) as well as subject to



the following conditions :

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

(ii) The petitioner shall remain physically present before the concerned Court on each and every date of the trial and shall cooperate in the investigation.

(iii) In case of absence for two consecutive occasions or in violation of the terms of the bail, the bail bonds of the petitioner will be liable to be cancelled by the concerned Court.

(iv) If the petitioner, in future, is found to be involved in similar nature of offence(s), the prosecution shall be at liberty to move for cancellation of his/her bail bonds.

(v) The concerned Court shall verify the criminal antecedent of the petitioner and in case, at any stage, it is found that he/she has concealed his/her criminal antecedents, the Court concerned shall take necessary steps for cancellation of his/her bail bond. 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.

7. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

8. The application stands allowed.

(Sourendra Pandey, J)

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