

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 69186 of 2019

Arising Out of PS. Case No.-289 Year-2018 Thana- RAJGIR District- Nalanda

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Babloo Kumar @ Bablu Kumar (Male) aged about 25 years, Son of Vijay Kumar Singh @ Vijay Singh, Resident of Village - Begampur, P.S. and Distt. - Nalanda.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Amar Nath Singh, Advocate

For the Opposite Party/s : Mr. Akshay Lal Pandit, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 25-11-2019 Heard learned counsel for the parties.

The petitioner seeks bail in Rajgir P.S. Case No. 289 of 2018 registered for the offence under Sections 365/34 of the Indian Penal Code and subsequently Section 302 of the I.P.C. was also added.

As per prosecution case, cousin of the informant namely Jayvardhan was Manager in Bihar Gramin Bank and posted at Kasar under Sheikhpura district. On 27-09-2018, Jayvardhan left the bank at 5:00 PM, but did not return till 7:00 PM and on call, the mobile was found switched off. On search, on 28-09-2018, the bag of Jayvardhan was found in a Payeen near village Bellour and near the Bellour bridge, one discharged cartridge and one misfire cartridge were also found. In further



course of investigation, the dead body of deceased Jayvardhan was recovered from Sadar Hospital, Hazaribagh.

It is submitted on behalf of the petitioner that F.I.R. has been lodged against unknown and petitioner's name has come only on the basis of confessional statement of co-accused. It is further submitted that no incriminating article has been recovered from the possession of the petitioner and petitioner is in custody since 12-06-2019. It has further been submitted that other five accused persons namely (i) Ajay Kumar (vide order dated 12-03-19 in Cr.Misc.No. 79550/2018), (ii) Karu Kumar @ Piyush (vide order dated 05-04-19 in Cr.Misc. No. 19063/2019), (iii) Gopal Kumar (vide order dated 17-01-2019 in Cr.Misc. No. 197/2019), (iv) Baua @ Krishna Kumar (vide order dated 26-06-19 in Cr.Misc. No. 15655/2019), and (v) Tullu Kumar @ Ajay Kumar (vide order dated 21-06-19 in Cr.Misc. No. 16014/2019) have been granted bail by this Court.

Considering the aforesaid facts and circumstances as well as considering the fact that other co-accused have been granted bail, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nalanda at Biharsharif in connection



with Rajgir P.S. Case No. 289 of 2018 on the following conditions:

(1) Petitioner shall cooperate 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 her absence on two consecutive dates without sufficient reason, her bail-bond shall be cancelled by the Court below.

(2) 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.

(Prabhat Kumar Singh, J.)

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