

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55167 of 2021

Arising Out of PS. Case No.-9 Year-2021 Thana- NAURANGIA District- West Champaran

BABALU KUMAR JAISWAL @ BABLU KUMAR JAISWAL @ BABLU
JAISWAL Son of Late Basudeo Jaiswal @ Late Basdev Jaiswal Resident of 3
RD Chowk Valmikinagar, P.O.- Valmikinagar, P.S.- Valmikinagar, District -
West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. P. K. Shahi, Sr. advocate
		Mr. Vipin Kumar Singh
For the Opposite Party/s	:	Mr.Narsingh Tanti

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 24-02-2022 Heard learned senior counsel for the petitioner and
the State.

Petitioner seeks regular bail in a case registered for
the offence punishable under Section 302/34 of the Indian Penal
Code and u/s 25(1-b)A, 26, 27, 35 of Arms Act.

As per the prosecution case, co-accused Md.Sakil
caught hold of the husband of informant and thereafter co-
accused Rizwan shot him dead. This petitioner was caught on
the spot while fleeing away from the place of occurrence.

Learned counsel appearing for the petitioner submits
that petitioner is innocent and has falsely been implicated in the
case. It is submitted that petitioner is not the assailant of the



deceased rather the assailant is co-accused, Rizwan. No specific overt act has been alleged against this petitioner. Petitioner is in custody since 17.02.2021 and investigation in this case is complete.

Learned counsel appearing for the State opposes the prayer for bail and submitted that petitioner is one of the main accused and he facilitated in the crime.

Considering the facts of the case and the period of custody of 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 Additional Sessions Judge-I, Bagaha, West Champaran in connection with Naurangia PS case No.09/2021.

(Prabhat Kumar Singh, J)

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