

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9667 of 2023

Arising Out of PS. Case No.-379 Year-2022 Thana- GAYA RAIL P.S. District- Gaya

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BABLU KUMAR @ RAJ KUMAR S/O BINOD KUMAR @ BINOD
PRASAD GUPTA Resident of village- Baradhi Gola, Ward No.- 13, P.S.-
Akhauri Gola, District- Rohtas.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bhola Prasad

For the Opposite Party/s : Mr.Kumar Ranjit Ranjan

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 03-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case
instituted for the offence under Section 394 of the Indian Penal
Code and later on Sections 395, 397 and 412 of the IPC has
been added.

As per prosecution case, the informant runs a Kirana
Shop, he went to Akhauri Gola Gaya (Dehri) and on the same
day he completing the work and returning to Gaya by a
passenger train. When the train was arrived at Ismailpur



Railway Station then two unknown persons came near the informant and caught hold the hand of informant and another two persons started assaulting him. It is further alleged that on the point of pistol, they looted Rs. 1,45,000/- cash, one mobile and other materials.

It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case due to business rivalry. He has committed no offence. Petitioner is not named in the FIR. He submitted that nothing incriminating or looted article has been recovered rather the money Rs. 12,000/- alleged to have shown in the seizure list is the money of the petitioner, which was taken by the police from the shop of the petitioner. The name of the petitioner has come into light, on the basis of confessional statement of co-accused namely Abhay Kumar, which has got no evidentiary value in the eyes of law. He is languishing in judicial custody since 25.09.2022.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail



bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties
of the like amount each to the satisfaction of the learned
Railway Judicial Magistrate, Gaya in connection with Gaya Rail
P.S. Case No. 379 of 2022.

(Sunil Kumar Panwar, J)

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