

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19563 of 2023

Arising Out of PS. Case No.-322 Year-2022 Thana- ATRI District- Gaya

Bablu Kumar, Male, aged about 20 years, S/o Balmiki Prasad R/o village-
Faldu, P.S.- Nardiganj, Distt- Nawada (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajit Kumar Sinha, Advocate

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

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 18-05-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Atri
P.S. Case No. 322 of 2022 dated 18.08.2022, instituted for the
offences punishable under Sections 147, 148, 149, 307 and 504
of the I.P.C., 25(1-b)a, 26/37 Arms Act.

3. The prosecution case, in short, is that on
17.08.2022, informant awoke at around 10:30 pm to 11:00 pm
due to gunfire and noticed 9 people on motorcycle abusing and
asking to open the door. On sound, villagers accumulated on
which co-accused, Rajesh Yadav and Rajballabh Yadav fired
and fled away. Petitioner was apprehended by villagers and one
pistol, three empty cartridges were found in dicky of one of the
motorcycles.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case due to previous enmity and grudge. Learned counsel for the petitioner further submits that in the written report it is mentioned that one country made pistol and three empty cartridges were seized but the recovery was from Splendar plus bearing registration no. BR 27R-2393 motorcycle standing opposite the house of Subodh Yadav. Further, two motorcycles i.e. one Passion Pro and one Glamour were recovered. Learned counsel for the petitioner further submitted that aforesaid articles were produced by the informant, Dharamvir Kumar, himself before the police as would appear from the production-cum-seizure list prepared by the police which is part of the F.I.R.. Lastly, it has been submitted that the petitioner is in custody since 19.08.2022 having no criminal antecedent and charge-sheet has been submitted in the case.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount



each to the satisfaction of the learned Additional Chief Judicial
Magistrate, XIII, Gaya in connection with Atri P.S. Case No.
322 of 2022.

(Khatim Reza, J)

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