

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18931 of 2023

Arising Out of PS. Case No.-322 Year-2019 Thana- GAIGHAT District- Muzaffarpur

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Ful Babu @ Ful Babu Prasad Yadav @ Ful Babu Rai Son Of Rajendra Prasad
Yadav @ Rajendra Ray R/V- Sura Tole Jarang Tekuna P.S- Gaighat Dist-
Muzaffarpur

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok
For the Opposite Party/s : Mr.Mohammad Sufyan

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 18-05-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has filed the instant application
for grant of regular bail in a case registered for the
offences punishable under Sections 395, 397 of the
Indian Penal Code.

The prosecution case in nutshell is that 7-8
miscreants intercepted the vehicle, containing fevicol, by
their Bolero and forcefully made him to sit in the said
Bolero vehicle and shoot him on his leg. It is further
alleged that they snatched Rs. 5,000/-, mobile phone,



and other documents and fled away with the vehicle of petitioner.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case. Neither the petitioner is named in F.I.R. nor he has been put on T.I.P. Nothing incriminating has been recovered from his possession. The name of petitioner sprang up in this case on confessional statement of co-accused, namely, Raja Kumar and Nand Kishore Rai. Moreover, the petitioner is languishing in judicial custody since 17.08.2022. Similarly situated co-accused persons have been granted bail by co-ordinate Bench of this Court. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and



circumstances of the case as well as period of custody,
this Court is inclined to enlarge the petitioner on bail.
The above named petitioner is directed to be enlarged on
bail in connection with Gaighat P.S. Case No. 322 of
2019 on furnishing bail bond of Rs. 10,000/- (Rupees
ten thousand) with two sureties of the like amount each
to the satisfaction of the learned Additional Chief Judicial
Magistrate, XV, (East) Muzaffarpur.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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