

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 26004 of 2023**

Arising Out of PS. Case No.-237 Year-2021 Thana- MAGADH MEDICAL COLLEGE
District- Gaya

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MONU SINGH @ BABUA S/O SHATRUDHAN SINGH R/O VILLAGE-
BELAUR, P.S- BUXAR INDUSTRIAL, DISTRICT- BUXAR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr Sunil Kumar, Advocate

For the Opposite Party/s : Mr Bhanu Pratap Singh, APP

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CORAM: HONOURABLE MR JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 23-05-2023 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned Additional Public Prosecutor (for brevity, **APP**) appearing for the State of Bihar.

The petitioner has preferred this application for grant of regular bail in connection with Magadh Medical Police Station (for brevity, **PS**) Case No 237 of 2021 dated 06.09.2021 initially registered for the offence punishable under Sections 325, 341, 307, 120B/34 of Indian Penal Code (for brevity, **IPC**) and Section 27 of Arms Act but later on added with Section 302 of IPC.



As per prosecution case, miscreants boarded on a motorcycle had stopped near the informant and two miscreants opened fire indiscriminately at the informant causing injuries on his thigh, head and hand with intent to kill. The injured was taken for treatment by villagers and friends. It is further alleged that due to popularity of the injured, the co-accused Barun Yadav, Mallu Yadav and Bablu Singh committed the said occurrence after hatching conspiracy. The injured died during the course of treatment.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is accused in two more criminal cases, as stated in paragraph 3 of the bail petition. There is general and omnibus allegation against the petitioner. His name has transpired in the confessional statement of the co-accused Mukesh Kumar. He is in custody in this case since 18.11.2022.

Learned APP has vehemently opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case, period of custody as well as the nature of allegation against the petitioner, the petitioner above named is directed to be released on bail on his furnishing bonds of Rs 20,000/-



(Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate IV, Gaya in Magadh Medical PS Case No 237 of 2021 dated 06.09.2021.

This application stands allowed.

(Chandra Prakash Singh, J)

M.E.H./-

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