

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37880 of 2023**

Arising Out of PS. Case No.-20 Year-2020 Thana- JAGDISHPUR District- Bhojpur

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BABLU RAI S/O LATE SURYABANSH RAI @ SURYA VANSI RAY R/O
Village- Suremarpur, PS. Sahpur, Dist. Bhojpur at Ara

... .. Petitioner/s

Versus

1. The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vipin Kumar Singh

For the Opposite Party/s : Mr.Awadhesh Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 18-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 302, 201/34 of the Indian Penal Code.

3. The present FIR has been lodged against unknown persons on the basis of fardbeyan of the Chaukidar who has stated that an unknown dead body was lying under the bridge situated over Duloura river. After examine the dead body, it seems unknown persons killed by means of knife and threw.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The petitioner is not named in the FIR. His name was transpired on the basis of confessional statement of co-accused Nitu Kumar



Yadav who has already been enlarged on bail by a co-ordinate Bench of this Court vide order dt. 23.12.2020 passed in Cr. Misc. No. 30260 of 2020 as such, the case of the petitioner stands on similar footing of that of the co-accused. No one is eye witness of the alleged occurrence and nothing consistent evidence has come against the petitioner during investigation. It is further submitted that the petitioner is languishing in judicial custody since 6.4.2022.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody period, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Jagdishpur P.S. Case No. 20 of 2020 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhojpur at Ara.

(Sunil Kumar Panwar, J)

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