

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44724 of 2023

Arising Out of PS. Case No.-104 Year-2023 Thana- MAGADH MEDICAL COLLEGE
District- Gaya

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Binit Kumar S/O Suraj Prasad Singh R/O Surya Niwas, Tilha Mahabir
Asthan, Beldari Tola, P.S- Civil Line, Distt.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shri Prakash Tiwari

For the Opposite Party/s : Mr.Dr.Mrityunjaya Kr.Gautam

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 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 505, 506,
507 and 120 of the IPC.

3. Allegation against the petitioner is that he
forwarded threatening letters to different locations regarding
explosion.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He has
falsely been implicated in this case merely on suspicion. The
petitioner is not named in FIR and during investigation, on
account of personal vendetta of the local police particularly, the



officer in Charge Civil Line P.S. Gaya, who has been made a party as a Respondent No.8 in the Criminal Writ Application filed by the petitioner before this Hon'ble Court against him and few others, the petitioner has been dragged in this case since the SHO Gaya was adamant not to institute an FIR against the opponent of the petitioner for the reasons best known to him despite several efforts being made in this regard by the petitioner. It is also submitted from para-7 of this petition that it is very ridiculous that the letter of explosive was anonymous(gumnaam) and even on the envelope of the said letter, the name of the sender was not written, as is evident from FIR itself that in such circumstances, how the police got clue of the petitioner's involvement in the alleged offence. Nothing consistent material has come against the petitioner and so far as the confessional statement of the petitioner is concerned in which he accepted his guilt is only because of coercion and pressure of the police which has got no evidentiary value in the eye of law. Moreover, the petitioner is languishing in judicial custody since 07.03.2023.

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 of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Magadh Medical P.S. Case No. 104 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned J.M.F.C, Gaya.

(Sunil Kumar Panwar, J)

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