

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49141 of 2022

Arising Out of PS. Case No.-113 Year-2021 Thana- BELA District- Sitamarhi

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Babujan Nadaf @ Kalam Nadaf S/O Iliyas Nadaf @ Bholu @ Molu Resident
Of Village- Betaha, P.S.- Bela, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Santosh Kumar

For the Opposite Party/s : Mr.Binod Kumar

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 19-01-2023 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 and Section 3 of Explosive Substance

Act.

The prosecution case in nutshell is that while

the petitioner along with other co-accused were passing

through the courtyard of the informant, on protest they

assaulted the father-in-law of the informant by bricks. It

is also alleged that miscreants made firing and hurled



bomb and fled away.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case. It is also submitted that petitioner is languishing in judicial custody since 23.09.2021. It is further submitted that petitioner is neither named in F.I.R. nor anything incriminating has been recovered from his conscious possession. He has not been put on T.I.P. The name of petitioner sprang up in this case on the basis of self confession being made in Bela P.S. Case No. 179 of 2021, before the police, which has no evidentiary value in the eye of law.

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, this Court is inclined to enlarge the petitioner on bail. The above named



petitioner is directed to be enlarged on bail in connection with Bela P.S. Case No. 113 of 2021 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 C.J.M., Sitamarhi.

(Sunil Kumar Panwar, J)

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