

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62927 of 2023

Arising Out of PS. Case No.-115 Year-2023 Thana- GULJARBAGH RAIL P.S. District-
Patna

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Rahul Ram Son Of Late Naresh Ram Resident Of Vilage- Naya Tola Amarpur
Paizawa, Gulzarbagh, Ps- Mehndiganj, Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Nityanand Kumar

For the Opposite Party/s : Mr.Md. Anbzarul Haque Sahara

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 22-09-2023 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 393, 307, 326 of the Indian Penal Code and Section 27 of Arms Act.

3. As per prosecution case, the informant alleged that while he along with driver and guard of the Empty-Coach/ PNBE Loco-27736 were going, meanwhile three unknown miscreant came with an intention to loot. When they failed to carry out their intention, one of them fired at the informant, due to which he sustained bullet injuries.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He is not



named in the FIR rather his name was transpired in the case on the basis of confession made by co-accused Anubhav Kumar @Kanjhappa. It is submitted that confession before police is inadmissible in the eye of law. Neither the petitioner was put on TI Parade nor any incriminating article has been recovered from his conscious possession. Moreover, he is languishing in judicial custody since 3.4.2023.

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 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 G.R.P. (Guljarbagh) P.S. Case No. 115 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 Railway Judicial Magistrate, Patna.

(Sunil Kumar Panwar, J)

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