

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68728 of 2023

Arising Out of PS. Case No.-35 Year-2023 Thana- MAHUA District- Vaishali

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Bablu Kumar Son Of Late Lababu Rai @ Lal Babu Rai @ Lal Babu Raay
Resident Of Village - Rajasan Khajwati, Khanpur, P.S.- Bidupur, District-
Vaishali.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rudal Singh

For the Opposite Party/s : Mr.Ajay Kumar Jha

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 02-11-2023 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner has filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 307/34 of the Indian Penal Code and Section 27 of Arms Act.

3. The prosecution case in nutshell is that while the informant along with her husband and son was going by her vehicle, in the meantime, some unknown miscreants started firing which hit upon arm and chest of the husband of the informant due to which he sustained



fire arm injuries.

4. It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case. Neither the petitioner is 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 his self confessional statement before the police, which got no evidentiary value in the eye of law. Moreover, the petitioner is languishing in judicial custody since 25.03.2023. Similarly situated co-accused Uday Kumar has been granted Bail vide order dated 21.08.2023, passed in Cr. Misc. No. 39865 of 2023 by this Court.

5. Learned APP appearing for the State has vehemently opposed the prayer for Bail.

6. Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody,



this Court is inclined to enlarge the petitioner on bail.

The above named petitioner is directed to be enlarged on bail in connection with Mahua P.S. Case No. 35 of 2023 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 Judicial Magistrate 1st Class, Hajipur, Vaishali.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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