

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70565 of 2023

Arising Out of PS. Case No.-189 Year-2023 Thana- SABAUR District- Bhagalpur

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RAGHUBIR MANDAL S/O SHAMBHU MANDAL R/O LAILAKH, P.S-
SABOUR, DISTT.- BHAGALPUR.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajive Ranjan Singh

For the Opposite Party/s : Mr.Aditya Narayan Singh.1

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 07-11-2023 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 section 396 of the Indian Penal Code and Section 27 of Arms Act.

3. As per prosecution case, the informant alleged that some miscreants were committing loot in Monte Karlo Company and while doing so, one Subodh Yadav was killed by the unknown miscreants. Accordingly, the present case was lodged.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The petitioner is not named in FIR rather he has falsely been implicated in this case on the basis of confessional statement of



co-accused namely, Suman Kumar before police which is inadmissible in the eye of law. No any robbed article has been recovered from conscious possession of the petitioner. It is also submitted that the petitioner has not been put on TI Parade. The petitioner has got no criminal antecedent as stated in para-3 of the petition and languishing in judicial custody since 6.4.2023. Moreover, similarly situated co-accused namely, Sahil Kumar has already been granted bail by this Court vide order dt. 11.8.2023 passed in Cr. Misc. No. 51071 of 2023.

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

6. Considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge him on bail. The above named petitioner is directed to be released on bail in connection with Sabour P.S. Case No. 189 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 C.J.M., Bhagalpur.

(Sunil Kumar Panwar, J)

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