

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74572 of 2023

Arising Out of PS. Case No.-704 Year-2023 Thana- BHABHUA District- Kaimur (Bhabua)

Babu Khan Son Of Mukhtar Khan Resident Of Village - Bhabhua Ward
No.23, P.S. - Bhabua, District - Kaimur At Bhabua

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajani Kant Pandey

For the Opposite Party/s : Mr.Rajiv Nayan

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 08-11-2023 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 sections 147, 148, 149, 160, 323, 324, 307, 337, 353, 153(A), 153, 295, 295(A), 109, 504 of the Indian Penal Code.

3. As per prosecution case, the petitioner along with several others are alleged to have pelted stones on procession with intention to cause riots. They were identified by a video thereafter the FIR was lodged.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The petitioner is said to be a member of mob only due to which he has falsely been implicated in this case. No specific overt-act



attributed to the petitioner rather general and omnibus allegation leveled against him. Nothing has been recovered from conscious possession of the petitioner. It is further submitted that the petitioner is languishing in judicial custody since 3.8.2023.

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 Bhabhua P.S. Case No. 704 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 Chief Judicial Magistrate, Bhabhua, at Kaimur.

(Sunil Kumar Panwar, J)

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