

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78656 of 2023

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

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Suman Kumar S/O Babulal Mandal R/O Vill - Pannuchak, P.S. - Ghogha,
Distt. - Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ranjan Kumar Jha

For the Opposite Party/s : Mr.Uday Pratap Singh

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 07-12-2023 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 27 of the Arms Act.

3. It is a case of commission of robbery and murder of one Subodh Yadav by unknown criminals. It is further alleged that from the possession of this petitioner, one country made pistol has been recovered from his possession.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. The petitioner is not named in FIR rather his name came into light in this case on the basis of disclosure made by spy. Nothing consistent material has come against the petitioner in commission of murder of one



Subodh Yadav. Petitioner has not been put on TIP as yet. It is further submitted that police has forcibly taken confessional statement of the petitioner which has got no evidentiary value in the eye of law. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Similarly situated other co-accused person has already been granted bail by this Court vide order dated 23.08.2023 in Cr. Misc. No. 45322 of 2023. Moreover, the petitioner is languishing in judicial custody since 06.04.2023.

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 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 CJM, Bhagalpur.

(Sunil Kumar Panwar, J)

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