

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28281 of 2024

Arising Out of PS. Case No.-74 Year-2015 Thana- BODHGAYA District- Gaya

Babloo Kumar @ Babloo Yadav S/o Late Chandar Yadav R/o vill - Harli
khurd, P.S. - Bodh Gaya, Distt. - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kunwar Jamuar

For the Opposite Party/s : Mr. Arun Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 10-05-2024 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner seeks bail in a case registered for the
offences punishable under Sections 147, 148, 149, 324, 326, 307
and 506 of the Indian Penal Code read with Section 27 of the
Arms Act.

3. Learned counsel for the petitioner submits that the
petitioner is in custody since 24.12.2023 and is a person with
clean antecedent and has been falsely implicated in the present
case by the informant with an allegation that he fired causing
injury to Sumant, Pankaj and Sonu. It is next submitted that
from perusal of Annexure P/5 to this application, it would
manifest that the injury suffered by Pankaj and Sonu is simple in
nature caused by hard and blunt substance, which belies the



allegation against the petitioner that he fired causing firearm injury. It is next submitted that injury report of Sumant, till date, has not been received when FIR is of the year 2015. It is next submitted that similarly situated co-accused have been granted the privilege of regular bail by learned Co-ordinate Benches as would manifest from Annexure-4 series. It is also submitted that petitioner is in custody since 24.12.2023 and charges have been framed, as such, petitioner will not abscond rather will co-operate in the trial.

4. Learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

5. Considering the fact that the petitioner is in custody, is a person with clean antecedent and charge-sheet has been submitted in the case, let the petitioner above named be released on bail 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 court below where the case is pending/successor court in connection with Bodhgaya P.S. Case No. 74 of 2015.

6. However, the learned Trial Court before accepting the bail bonds shall verify whether charges have been framed against the petitioner or not and in the event if it is found that if



charges have not been framed against the petitioner in that event, the present order shall not be given effect to, but if charges have been framed, in that event the bail bonds of the petitioner shall be accepted forthwith.

(Satyavrat Verma, J)

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