

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63804 of 2024

Arising Out of PS. Case No.-118 Year-2023 Thana- JAMOBABAZAR District- Siwan

Bablu Kumar Son of Late Narendra Prasad R/o village - Jamo Bazar, P.S.-
Jamo Bazar, District - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kant, Adv.

For the Opposite Party/s : Mr. Bharat Lal, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 04-10-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in Jamo Bazar P.S. Case No.
118 of 2023 registered for the offences punishable under
Sections 341, 323, 325, 307, 354B, 379, 302, 34 of the Indian
Penal Code.

3. As per prosecution case, the petitioner along with other
co-accused persons assaulted the informant and her husband by
means of deadly weapons due to which they sustained injuries,
as a result, on the way to Gorakhpur for better treatment, the
husband of the informant died.

4. It is submitted by learned counsel for the petitioner
that the petitioner is quite innocent and he has committed no
offence. No such occurrence as alleged has ever taken place.



He has been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioner is totally false and based on concocted facts. There is admitted land dispute between the parties. Only with a view to create pressure upon the petitioner, his entire family has been made accused in the present case. It is further submitted that the petitioner has earlier moved before this Court for grant of anticipatory bail and was granted bail vide order dated 18.10.2023 passed in Cr. Misc. No. 62248 of 2023. But, being aggrieved, the informant Indu Devi filed a SLP(Crl.) no. 1115/2024 in the Hon'ble Supreme Court against the bail order dated 18.10.2023. The Hon'ble Supreme Court set aside the bail of the petitioner vide order dated 15.07.2024 with a direction that the petitioner is at liberty to take recourse of law for regular bail uninfluenced by the order of setting aside the pre-arrest bail as allowed by this Court. Thereafter, in view of the aforesaid, the petitioner has surrendered before the learned Court below and has been languishing in custody since 27.07.2024. Learned counsel further submits that the charge sheet has also been submitted against the petitioner. Petitioner has two criminal antecedents as mentioned in para 3 of the bail application.

5. Learned APP for the State opposed the prayer for bail.



6. Having regard to the facts and circumstances of the case, since from bare perusal of the FIR, it is evident that there is no specific overt act against the petitioner, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five 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 Jamo Bazar P.S. Case No. 118 of 2023.

(Anjani Kumar Sharan, J)

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