

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5398 of 2024

Arising Out of PS. Case No.-197 Year-2023 Thana- RAJGIR District- Nalanda

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Babloo Rajbanshi S/O Raj Kumar Rajbanshi Village- Sahda, Ps. Rajauli, Dist.
Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar, Advocate

For the Opposite Party/s : Mr. Chandra Sen Prasad Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 26-04-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Rajgir
P.S. Case No. 197 of 2023 instituted for the offence under
Sections 302, 201, 120B & 34 of the Indian Penal Code.

3. Prosecution case in short is that the husband of the
informant left the house with the passengers to Rajgir. In the
evening, his mobile got switched off and the next morning
chowkidaar informed that her husband was killed and his dead
body was thrown behind the mountain.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 17-04-2023. Petitioner is a
man of clean antecedent.

5. It has been further submitted by the petitioner's



counsel that petitioner has been falsely implicated in the present case. The petitioner is not named in the FIR. The name of the petitioner has transpired on the basis of confessional statement of co-accused, namely, Feku Rajbanshi and Sharifa Devi. There is no eye witness to the occurrence. Other co-accused have been granted bail by this Court *vide* orders dated 12-02-2024 & 15-03-2024, passed in Cr. Misc. No. 84433 of 2023 & Cr. Misc. No. 6274 of 2024.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner, claim based on parity and clean antecedent of the petitioner, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Rajgir P.S. Case No. 197 of 2023.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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