

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12485 of 2025

Arising Out of PS. Case No.-261 Year-2023 Thana- MADHEPURA District- Madhepura

Babloo Kumar S/o Naresh Yadav R/o Village- Khonha, ward no 12, PS-
Bihra, Distt.- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Raj Kishor Singh, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 07-03-2025 Heard learned counsel for the petitioner and learned
APP for the State.

02. In the present case, the petitioner seeks bail in connection with Madhepura (Ghailarh O.P.) P.S. Case No. 261 of 2023, registered on 11.03.2023, for the alleged offences under Sections 394/307 of the Indian Penal Code.

03. As per prosecution case, four miscreants on motorcycle overtook the motorcycle of the informant and demanded money and mobile from the informant. When the informant did not part with either money or the mobile phone, he was stabbed by one of the miscreants, who stanchd his mobile phone and also took away Rs. 13,500/- from the informant. The name of petitioner transpired during investigation for being involved in the said occurrence.



04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Except for confessional statement of co-accused, there is no other material against the petitioner to connect him with the offence as alleged. Nothing incriminating has been recovered from the person of possession of this petitioner and no offence under Sections 394 and 307 of IPC is made out against him. The petitioner has been remanded in this case from another case on the basis of confessional statement of co-accused Sarlu Kumar, but the said statement has no legal sanctity. The petitioner is in custody since 29.07.2024 and charge-sheet has been submitted. The petitioner is having antecedent of one case.

05. Learned APP for the State opposes the prayer for bail.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the period of custody of the petitioner along with submission of charge-sheet, the petitioner above named is directed to 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 learned Chief Judicial Magistrate, Madhepura in connection with Madhepura (Ghailarh OP) P.S. Case No. 261 of



2023, subject to the conditions mentioned in Section 437(3) of the Cr.P.C. and the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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