

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17123 of 2025

Arising out of PS. Case No.-548 Year-2024 Thana- MASAUDHI District- Patna

Babloo Kumar @ Madan Mohan Prakash Son of Radha Krishna Singh @
Radhe Singh Resident of Village - Hussainchak, P.S. - Masaurhi, District -
Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. N.K. Agrawal, Sr. Advocate
Mr. Satish Chandra, Advocate
For the Opposite Party/s : Mrs. Pushpa Sinha, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

4 08-07-2025 Heard Mr. N.K. Agrawal, learned senior counsel

for the petitioner assisted with Mr. Satsh Chandra, learned
counsel and Mrs. Pushpa Sinha, learned Additional Public Pros-
ecutor for the state.

2. The petitioner seeks bail in a case instituted for the
offences under Sections 302 and 201 of the Indian Penal Code.
He has no criminal antecedent.

3. As per the prosecution case, the informant has
alleged that his uncle had gone to the market and thereafter he
did not return and when he was being searched his dead body
was found and it was seen that there was blood oozing outside
from his neck.

4. Learned senior counsel for the petitioner submits



that the petitioner has falsely been implicated in this case and from perusal of the FIR it would be evident that the petitioner was not earlier named in the FIR. It is further submitted by learned senior counsel for the petitioner that almost after twenty days of the lodging of the FIR the wife of the deceased came out with her written application to the police stating therein the names of the petitioner and others. It is also submitted by learned senior counsel for the petitioner that admittedly there is no eye-witness to the occurrence and merely on suspicion raised by the wife of the deceased the petitioner has been remanded in the present case. It is lastly submitted that the petitioner has no criminal antecedent and is in custody since 20.12.2024.

5. Learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner and has submitted that the petitioner and other co-accused persons are involved in the murder of the uncle of the informant and the co-accused Nirmal Paswan has also confessed his involvement in the said crime, as such, the petitioner should not be released on bail.

6. Considering the aforesaid submissions of the parties and taking into account the fact that it was merely on suspicion the name of the petitioner has been roped in the



present case and that too after more than twenty days of lodging of the FIR and also the period of custody, the petitioner above named, is directed to 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 Additional Chief Judicial Magistrate/Court concerned, Masaurhi, Patna in connection with Masaurhi P.S. Case No. 548 of 2024, subject to the 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, if so required by the learned Trial Court.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be canceled by the Court concerned.

(iv) And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his crim-



inal antecedent, the court below shall take step
for cancellation of bail bond of the petitioner.
However, the acceptance of bail bonds in terms
of the above-mentioned order shall not be de-
layed for purpose of the same or in the name of
verification.

7. It is made clear that the observations, if any,
made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

Vikash/-

U		T	
---	--	---	--

