

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43727 of 2025

Arising Out of PS. Case No.-471 Year-2023 Thana- DUMRA District- Sitamarhi

Babloo Kumar, aged about 25 years, Male, S/o Arun Kumar @ Munchun Sahani, R/o Vill- Kailashpuri, P.S- Dumra, Distt- Sitamarhi

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Uday Kumar, Advocate
For the Opposite Party : Mr. Anil Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 09-10-2025 Heard learned counsel for the petitioner and learned A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Dumra P.S. Case No. 471/2023 dated 02.10.2023 registered for the offences punishable under Section 302 read with Section 34 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per the prosecution case, some unknown miscreants are alleged to have entered the house of the informant and shot the informant's minor daughter dead when she was sleeping.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this



case. The petitioner is not named in the F.I.R. The name of the petitioner has sprung up in the confessional statement of the co-accused, Harsh Kumar @ Abhishek Kumar which has got no evidentiary value in the eyes of law. It is further submitted that except confessional statement of the co-accused Harsh Kumar @ Abhishek Kumar, there is no substantive evidence to suggest the implication of the petitioner in the present case. There is no eye witness to the alleged offence. The police after investigation, submitted charge sheet against the petitioner in the present case. It is further submitted that the co-accused Harsh Kumar @ Abhishek Kumar in his confessional statement has stated the *modus operandi* as to how the occurrence took place with his associates as stated in paragraph no. 25 of the case diary. There is general and omnibus allegation against the petitioner. It is further submitted that the other co-accused person, namely, Om Raj @ Om Kumar, has already been granted bail by a Bench of this Court in Cr. Misc. No. 27308 of 2024 vide order dated 09.09.2024. The petitioner has one criminal antecedent in which he is on bail as stated in para 3 of the bail petition. The petitioner is in custody since 12.02.2025.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.



6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi or its successor court in connection with Dumra P.S. Case No. 471/2023, with further condition:-

(I) The petitioner is directed to remain physically present before the learned court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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