

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66528 of 2025

Arising Out of PS. Case No.-330 Year-2022 Thana- KHUSRUPUR District- Patna

Babloo Kumar @ Babloo Singh @ Bablu Kumar Son of Suresh Singh R/o
Lodipur, Mansurpur, P.S.- Khusrupur, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shadwal Harsh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 28-11-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks regular bail in connection with
Sessions Trial No. 1163 of 2023 arising out of Khusrupur P.S.
Case No. 330 of 2022, lodged on 27.08.2022, under Sections
302/34 of the Indian Penal Code and Section 27 of the Arms
Act.

3. Learned counsel for the petitioner submits that the
bail application of the petitioner was earlier rejected *vide* order
dated 20.07.2024 passed in Cr. Misc. No. 43028 of 2024.

4. Counsel further submits that the petitioner was
basically a victim in the present case and a false case has been
filed against him. Counsel further submits that he has been
made an accused in four other cases, as described in paragraph
No. 3 of the petition, in which he has been acquitted in two



cases, Khusrupur P.S. Case No. 56 of 2014 and Khusrupur P.S. Case No. 200 of 2022, and Khusrupur P.S. Case No. 114 of 2012 was found to be false. Counsel further submits that the petitioner is not absconding in any of the cases pending against him. Counsel further submits that the petitioner is in custody since 31.08.2023 and the charge-sheet has already been filed in this case. Counsel further submits that upon a bare reading of the FIR, it becomes crystal clear that the informant is not an eye-witness, rather, he reached the spot later on. Counsel further submits that seven co-accused persons have already been granted bail by different coordinate Benches, which is annexed as Annexure G series. Counsel further submits that he has annexed the deposition of PW-1, who in cross-examination has categorically stated that indiscriminate firing was going on due to which injuries were caused to different persons. Counsel further submits that on the earlier occasion a report regarding the present stage of the trial was called for.

5. Learned APP for the State opposes the prayer for bail and submits that from the rejection order it transpires that there is a direct allegation against the petitioner of causing gunshot injury. Counsel further submits that a report regarding the present stage of the trial was called for from the Trial Court.



6. Upon perusal of the said report, it transpires that there are three criminal trials, Sessions Trial Case 935 of 2023, Sessions Trial Case 1163 of 2023, and Sessions Trial Case 03 of 2024, which have been amalgamated vide order dated 01.05.2024, arising out of Khusrupur P.S. Case No. 330 of 2022. It further transpires that there are eight charge-sheet witnesses, out of whom only one witness has been examined, and due to the non-appearance of one accused, the present trial has been running at the stage of appearance.

7. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be released on bail, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) as mentioned in Section 2(1) (d) of the BNSS, 2023 to the satisfaction of the Additional Sessions Judge-III, Patna City, in connection with Sessions Trial No. 1163 of 2023 arising out of Khusrupur P.S. Case No. 330 of 2022, subject to the following conditions as laid down under Section 480(3) of the BNSS.

(Dr. Anshuman, J.)

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