

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11502 of 2015

Arising Out of PS.Case No. -75 Year- 2014 Thana -YADOPUR District- GOPALGANJ

Guddu Singh @ Guddu Kumar, S/o Binda Awadhia, R/o Village- Naya Tola - Rajokhar, P.S. Gopalganj, District Gopalganj.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

With

Criminal Miscellaneous No.19970 of 2015

Arising Out of PS.Case No. -75 Year- 2014 Thana -YADOPUR District- GOPALGANJ

Binda Singh, Son of late Ambika singh, Resident of village- Naya Tola Rajokhar, P.S- Gopalganj, District- Gopalganj.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

(In Cr.Misc. No.11502 of 2015)

For the Petitioner/s : Mr. Harendra Prasad, Advocate

For the Opposite Party/s : Mrs. Rina Sinha(App)

(In Cr.Misc. No.19970 of 2015)

For the Petitioner/s : Mr. Harendra Prasad, Advocate

For the Opposite Party/s : Mr. Nitya Nand Tiwary (App)

CORAM: HONOURABLE MR. JUSTICE AMARESH KUMAR LAL
ORAL ORDER

2 08-05-2015 Both the applications arise out of Yadopur P.S. Case No.75 of 2014 registered for the offence punishable under Sections 341, 323, 504, 506, 307, 379, 436/34 of the Indian Penal Code, Section 34 of the Explosive Substances Act and Section 27 of the Arms Act and as such, they have been heard together and are being disposed of by this common order.



The allegation is that the petitioners and Ramesh Singh came to the house of the informant, abused and assaulted the informant and others. The petitioner Guddu Singh and Ramesh Singh tried to take away the kids of the informant. The informant raised alarm. The petitioner Binda Singh shot fire which did not hit any one. In the meantime, Munna Singh and two other persons came there and exploded bomb. On the next day, the petitioners along with others came to the house of the informant again and Binda Singh set the residential veranda of the informant on fire, causing loss of food articles, bicycle and other articles.

It is submitted that the petitioners have been falsely implicated in this case due to enmity. No burnt part of the bicycle has been found. No one has sustained injury. However, after investigation, charge sheet has already been submitted against the petitioners and there is no chance of tampering with the evidence. The petitioners have been in custody since 26.07.2014 and 27.07.2014 respectively.

The learned counsel for the State submits that there is specific allegation of overt act against the petitioner Binda Singh and he has also a long list of criminal antecedents.

Considering the facts and circumstances of the case, let the petitioner, Guddu Singh @ Guddu Kumar of Cr. Misc. No.11502/2015, be released on bail on furnishing bail bond of

Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gopalganj in Yadopur P.S. Case No.75/2014 with the following conditions :

1. One of the bailors will be the close relative of the petitioner.
2. The petitioner will not indulge in similar or in any other offence.
3. The petitioner will be well represented in the court.
4. In case of absence for two consecutive dates or in violation of the terms of the bail, his bail bond will be liable to be cancelled by the court concerned.

So far as the petitioner Binda Singh of Cr. Misc. No.19970/2015 is concerned, he is directed to be released on bail **after framing of charge** on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gopalganj/court concerned in Yadopur P.S. Case No.75/2014 with the same conditions as mentioned above.

(Amaresh Kumar Lal, J)

V.K. Pandey/-

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