

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44009 of 2017

Arising Out of PS.Case No. -58 Year- 2017 Thana -CHAPRA RAIL P.S. District- SARAN

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Guddu Kumar son of Mushafir Ram, Resident of Village- Madhopur, P.S.-
Rasara, District- Balia, Uttar Pradesh.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dewendra Narayan Singh

For the Opposite Party/s : Mr. Sri Nand Kishore Pd

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 09-11-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with Chapra Rail
P.S. Case No. 58 of 2017 for offences punishable under Sections
401 and 34 of the Indian Penal Code.

The prosecution case, as lodged by the police
personnel, is that during course of patrolling on search of
criminals and persons dealing with illicit liquor the petitioner
along with two others were apprehended in a suspicious condition
roaming at the platform. From the pocket of the petitioner a blade
wrapped in paper was recovered.



It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal history and no overt act has been alleged to have been committed by him. The petitioner is made accused only on the basis of suspicion and that he is languishing in judicial custody since 23.07.2017.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Railway, Sonpur Saran at Chapra in connection with Chapra Rail P.S. Case No. 58 of 2017, subject to the conditions that:

- (1) Both bailors would be close relative of the petitioner having sufficient immovable property, who will file an affidavit stating their relationship with the petitioner.
- (2) If the petitioner indulges in an offence of similar nature in future,



the prosecution will be at liberty to
move the learned court below for
cancellation of his bail bonds.

(Nilu Agrawal, J)

Devendra/-

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