

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23871 of 2019

Arising Out of PS. Case No.-326 Year-2018 Thana- CHAKIA District- East Champaran

GUDDU SINGH, aged 35 years (M) Son of Hari Shankar Singh Resident of
Village-Bathna, P.S-Motipur, District-Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma, Advocate

For the Opposite Party/s : Mr.Nand Kumar, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 16-04-2019 Heard the learned counsel for the petitioner and
learned counsel appearing on behalf of the State.

Petitioner is languishing in judicial custody since
09.12.2018 in connection with Chakia P.S.Case No.326 of 2018
for the offence alleged under Sections 399, 402 and 414 of the
Indian Penal Code and Sections 25(1-b), a, 26 and 35 of the
Arms Act.

The prosecution case as lodged by the police officials
is that on secret information that the petitioner who is a
notorious criminal in road robbery is going with his gang to
Motihari on a motorcycle, the police intercepted the tractor and
motorcycle and apprehended eight persons. While arms and
ammunitions were recovered from the other co-accused, from
the possession of the petitioner, one country made pistol with



two live cartridges were recovered. Accordingly, a seizure list was prepared.

It has been submitted by the learned counsel for the petitioner that he is innocent and has been falsely implicated in the aforesaid case. He submits that chargesheet has already been submitted, there being no allegation of tampering with the prosecution evidence/witnesses. He further submits that two co-accused have been granted the privilege of bail by coordinate Benches of this Court in Cr.Misc.No.14988 of 2019 dated 13.03.2019 and Cr.Misc.No.23103 of 2019 dated 10.04.2019.

However, learned APP for the State opposes the prayer for bail stating therein that the petitioner does not bear a clean antecedent and two more cases are pending against him although the counsel for the petitioner submits that in both the cases, the petitioner has been enlarged on bail.

Considering the nature of allegations and that chargesheet has already been submitted as well as the fact that other co-accused apprehended along with petitioner has been granted the privilege of bail, let the petitioner, above named be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with Chakia P.S.Case No.326 of 2018 to the



satisfaction of learned 13th Additional Chief Judicial Magistrate,
East Champaran at Motihari, subject to the following
conditions:-

(i) One of the bailors would be a close relative of the
petitioner having sufficient immovable property, who will file
an affidavit stating his relationship with the petitioner.

(ii) Petitioner will appear before the learned court
below during trial as and when required and failure to appear on
two consecutive dates without assigning any reason will entail
cancellation of his bail bonds.

(iii) 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)

B.Kr./-

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

