

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6779 of 2020

Arising Out of PS. Case No.-163 Year-2019 Thana- BISHWAMBHARPUR District-
Gopalganj

=====

GUDDU KUMAR Son of Arjun Prasad Resident of Khem Matihaniya, P.S.-
Bishwambharpur, Distt - Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Indrajeet Bhushan, Adv.

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

=====

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 05-10-2020 The proceedings of the Court are being conducted
through Video Conferencing and the Advocates joined the
proceedings through Video Conferencing from their residence.

Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner apprehends his arrest in a case registered
under Section 25(1-b)a/26/35 of Arms Act.

Informant is the police official, who has alleged in
his self statement that on 06.12.2019 about 8.00 AM he received
secret information that three boys are standing near
Bishwambharpur High School in order to commit some crime
and as he alongwith other police personnel reached there, he
saw three boys assembled there who started fleeing on seeing



the police and after chase one boy was arrested and disclosed his name as Sujit Kumar @ Laddu and on search one magazine of a pistol containing 7 live cartridges was recovered from his pocket and he disclosed the name of other co-accused including petitioner and he also disclosed that co-accused Rinku Kumar has fled away with the pistol.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case. His name has surfaced in this case on the basis of confessional statement of co-accused Sujeet Kumar. Nothing was recovered from his possession. Similarly placed co-accused, namely, Rinku Kumar has been granted anticipatory bail by a co-ordinate Bench of this Court vide order dated 18.06.2020 passed in Cr. Misc. No. 8131 of 2020. Petitioner has no criminal antecedent.

Considering the facts and circumstances of the case, prayer of anticipatory bail is allowed and petitioner named above in the event of arrest or surrender before the court below within four weeks from today, Petitioner is directed to be released on bail on furnishing bail bonds of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. IX, Gopalganj, in



connection with Bishwambharpur P.S. Case No. 163 of 2019,
subject to the conditions as laid down under Section 438(2) of
the Code of Criminal Procedure with following conditions:-

(1) Bailors should be local having
sufficient immovable property within the
jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the
trial and shall be properly represented on each
and every date fixed by the court and his absence
on two consecutive dates without proper and
sufficient reason the trial court will be at liberty to
cancel his bail bond.

(3) If the petitioner tampers with the
evidence or the witnesses of the case, in that case,
prosecution will be at liberty to move for
cancellation of bail of the petitioner.

(S. Kumar, J)

veena/rajiv-

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

