

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23680 of 2020

Arising Out of PS. Case No.-20 Year-2018 Thana- GADHPURA District- Begusarai

GUDDU SINGH @ GUDDU KUMAR, Son of Hari Ray @ Hare Krishna
Ray, Resident of Village- Rampur, P.S.- Bakhri, Distt- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam
For the Opposite Party/s : Mrs.Anita Kumari

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 16-10-2020 Heard learned counsel for the petitioner and learned
APP for the State through virtual court proceedings.

Since the physical court proceeding is non-functional,
due to present pandemic, COVID-19, the matter is listed with
defects.

Learned counsel for the petitioner undertakes to
remove the defects as pointed out by the office within three
weeks of normal functioning of the court, failing which the
office is directed to place the matter before the Bench.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 341, 307, 506, 120B, 34 of
the Indian Penal Code and 27 of the Arms Act and also under
Section 3/4 of the Explosive Substance Act.

The prosecution case is that as per FIR, on the basis of



written report of the informant Mukesh Mishra @ Bablu Mishra alleging therein that accused Surendra Choudhary and Sujeet Kumar have conspired to kill the informant with 5-6 persons and in furtherance of such conspiracy 5-6 persons have attacked on the informant with intention to kill him. In this incident the informant has sustained four bullet injuries. These criminals have also thrown a bomb on the informant but the informant anyhow managed to escape.

Learned counsel the petitioner submits that the petitioner is not named in the FIR. During investigation the police have got the name of the petitioner along with others who have fired and thrown bomb on the informant. In case diary at para 20 the confessional statement of this Chandan Kumar is given in which he has stated that he along with petitioner and other persons have fired gun-shot on the informant. The petitioner is in custody since 26.02.2020. He further submits that similarly situated co-accused have been granted bail by the Co-ordinate Benches of this Court vide order dated 26.02.2019 passed in Cr. Misc. No. 11495 of 2019, vide order dated 24.09.2019 passed in Cr. Misc. No. 43426 of 2019 and vide order dated 04.12.2019 passed in Cr. Misc. No. 69038 of 2019.

Learned APP for the State opposes the prayer for bail



petition.

In the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 25,000/- (rupees twenty five thousand) with two sureties of the like amount each in connection with Garhpura P.S. Case No. 20 of 2018 to the satisfaction of the learned Chief Judicial Magistrate, Begusarai. **The court below is directed to accept the bail bond of the petitioner after ensuing election i.e. on 08.11.2020.**

(Anjani Kumar Sharan, J)

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