

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5481 of 2020**

Arising Out of PS. Case No.-121 Year-2019 Thana- DARBHANGA SADAR District-
Darbhanga

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GUDDU PASWAN @ KUMAR BADAL Son of Yogendra Paswan Resident
of Village-Bajitpur Chhapikiya (Chhapiliya Milki), P.S-Bahadurpur, District-
Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vinay Kumar Mishra

For the Opposite Party/s : Mr.Nawal Kishore Prasad,APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 16-09-2021 Heard learned counsel for the petitioner and learned APP
for the State through virtual mode.

The petitioner is apprehending his arrest in a case registered under Sections 302, 201, 120(B) and 34 of the Indian Penal Code.

The prosecution allegation, in short, is that the accused persons along with younger son of the informant left the house and later his dead body was found beneath the earth.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. From perusal of the prosecution case, it appears that the present matter is a case of last seen. Except for this, there is no other substantive evidence to



suggest his implication in the present case. There is no eye witness to the alleged occurrence nor there is any circumstantial evidence to suggest the participation of the petitioner in the present case. Other co-accuseds have been granted anticipatory bail vide Annexure-3 series to the present application.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on his personal bond to the satisfaction of learned Chief Judicial Magistrate, Darbhanga in connection with Sadar P.S. Case No. 121 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of eight weeks to the satisfaction of the Court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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