

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23070 of 2021

Arising Out of PS. Case No.-29 Year-2020 Thana- UDWANTNAGAR District- Bhojpur

Guddu Kumar @ Guddu Yadav S/O Baijnath Singh R/O Village- Sudhani,
P.S.- Udwanthnagar, District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar

For the Opposite Party/s : Mr. Md. Nazir Ansari

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 30-07-2021 Heard learned counsel for the petitioner and learned A.P.P. for
the State through virtual court proceeding.

Learned counsel for the petitioner undertakes to remove the
defects within four weeks of resumption of normal court proceeding.
In the eventuality of non-removal of defects within undertaken
period, the office will place the matter before the Bench.

The petitioner seeks bail in connection with Udwanthnagar P.S.
Case No. 29 of 2020 registered for the offence punishable under
Section 392 of the Indian Penal Code.

Allegation against the petitioner is that petitioner along with
other co-accused persons on the point of pistol looted/snatched bag
of the informant containing Rs. 3,000/- , mobile phone and other
documents. It is alleged that they also snatched motorcycle of the
informant.

It is submitted by learned counsel for the petitioner that



petitioner has falsely been implicated in this case and has not committed any offence as alleged in the FIR. He is not named in the F.I.R. No incriminating article has been recovered from his conscious physical possession. He submits that petitioner has not been put on T.I. parade till date. He further submits that petitioner has falsely been implicated in this case due to dirty village politics and merely on the basis of his criminal antecedents. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. The petitioner possess nine criminal antecedents as has been mentioned in para 3 of this bail application and he is languishing in custody since 02.03.2020.

Learned APP for the State vehemently opposed the bail petition and submitted that petitioner is a habitual offender and is involved in series of crime of similar nature and petitioner has nine cases registered against him as mentinoed in para 3 of the petition.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Udwantnagar P.S. Case No. 29 of 2020 subject to the following conditions:

(1) One of the bailors will be own close relative of the petitioner who will give on affidavit genealogy as to how he is relative to petitioner. The bailor will also undertake to inform the



court if there is any change in the address of the petitioner.

(2) The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

(3) The petitioner shall remain physically present in the court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(4) The petitioner shall co-operate with the investigation, if not already concluded and make himself available and when so required and in the case of failure, the State shall be at liberty to move for cancellation of bail.

(5) The petitioner will mark his attendance in the local police station in first week of every month till conclusion of trial, failing which the prosecution will be at liberty to move cancellation of his bail bond.

(Anjani Kumar Sharan, J)

GAURAV S./-

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