

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24468 of 2021

Arising Out of PS. Case No.-302 Year-2019 Thana- DAUDNAGAR District- Aurangabad

GUDDU KUMAR @ ROHIT KUMAR SON OF BINDESHWAR SINGH
R/O VILLAGE- KUSHA, P.S.- OBRA, DIST.- AURANGABAD

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar Pandey
For the Opposite Party/s : Dr.Mrityunjaya Kr.Gautam

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 22-12-2021 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with Daudnagar P.S.
Case no. 302 of 2019 registered for the offence punishable
under sections 395 and 397 of the Indian Penal Code.

Learned counsel for the petitioner submits that
petitioner is in custody since 13.10.2019 and charge sheet has
been submitted. Learned counsel for the petitioner further
submits that the informant alleges that his father is proprietor of
Jai Maa Kali Travels, further the informant with staff were
going to deposit Rs 20,85,000/- cash in the bank along with
cheques and vouchers when they were accosted by unknown
criminals who shot the informant and looted the cash along with
cheques and vouchers. Learned counsel submits that petitioner



is innocent and has been falsely implicated in the present case. Learned counsel submits that name of this petitioner transpired in the confessional statement of co-accused Pappu Yadav and the petitioner has not been put on TI parade till date. Learned counsel further submits that Pappu Yadav @ Ghamandi Yadav has been granted bail vide order dated 12.1.2021 in Cr. Misc. no. 7907/2020 on the ground that looted amount has not been recovered from possession of Pappu Yadav. Learned counsel further submits that Baban Yadav whose name transpired in the confessional statement of this petitioner was granted bail vide order dated 18.3.2020 in Cr. Misc. no. 85862/2019 on the ground that looted amount was not recovered from possession of Baban Yadav nor he was put on TI parade, similarly, Nitish Kumar @ Nitish Yadav @ Pintu Kumar has been granted bail vide order dated 1.6.2020 in Cr. Misc. no. 6/2020.

Learned APP opposes the prayer for bail and submits that looted amount of Rs 2 lac was recovered from the house of this petitioner and further at his instance cheques and vouchers were recovered from the house of co-accused Bijendra Yadav @ Kail Yadav.

Learned counsel for the petitioner submits that amount alleged to be looted Rs 20,85,000/- and only Rs 2 lac was



recovered from the house of the petitioner which his family had kept for marriage of his sister. Learned counsel submits that as far as cheques and vouchers are concerned, the same were recovered from the house of Bijendra Yadav @ Kail Yadav and in order to make the case graver, the petitioner has been roped with false allegation.

Considering the facts that petitioner is in jail custody and charge sheet has been submitted, the petitioner is directed to be released on bail on furnishing bail bonds of Rs 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of the Sub divisional Judicial Magistrate, Daudnagar, Aurangabad in Daudnagar P.S. Case no. 302 of 2019 with condition that petitioner will mark his attendance in between 20-25 of every month commencing from January, 2022 till framing of the charge, in the event it is reported by concerned police station to the learned court below that petitioner has not marked his attendance in between the aforesaid date in any of the month till framing of the charge, the learned court below will forthwith cancel his bail bond.

(Satyavrat Verma, J)

s.hassan/-

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