

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.2336 of 2021**

Arising Out of PS. Case No.-47 Year-2019 Thana- RAXAUL RAIL P.S. District- West  
Champaran

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GUDDU PATEL @ PREM KUMAR PATEL Son of Swaminath Patel  
Resident of Village- Mishra Toli ward no. 4, P.S.- Raxaul (Haraiya O.P.),  
District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Rajendra Prasad Nat

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**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN  
ORAL ORDER**

2      10-03-2021                      Heard learned counsel for the petitioner and learned

APP for the State through virtual Court proceedings.

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 a case registered for the  
offence punishable under Sections 341, 323, 326, 307 & 504 of  
the Indian Penal Code and Section 27 of the Arms Act.

As per the prosecution case, while the husband of  
the informant was going to Raxaul Railway Station from  
Western Railway Gumti, four unknown persons stopped



rickshaw and demanded money from the brother of Nandu and quarrel has taken place, then the informant's husband started pacifying the quarrel in the meantime one person opened fire upon informant's husband causing injury in his mouth.

It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. He is quite innocent and has been falsely implicated in this case. He is neither named in the F.I.R. nor was apprehended on the spot. No incriminating article has been recovered from his conscious physical possession. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. No T.I. parade has been conducted. There is nothing in the record indicating the complicity of the petitioner in the occurrence barring disclosure made by the brother of Nandu, namely, Sanjay Kumar @ Pandu and Navraj Kumar which has no evidentiary value in the eye of law. Co-accused, namely, Santosh Mahto has been enlarged on bail by a co-ordinate bench of this court vide order dated 04.03.2020 passed in Cr. Misc. No.9192 of 2020. The petitioner has been languishing in custody since 06.12.2019 but in the impugned order it has wrongly been stated as 06.12.2020.

Learned APP for the State opposed the bail



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 in connection with Raxaul G.R.P. P.S. Case No.47 of 2019.

**(Anjani Kumar Sharan, J)**

Trivedi/-

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