

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24251 of 2022

Arising Out of PS. Case No.-33 Year-2021 Thana- NATWAR District- Rohtas

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Guddu Kumar Son of Balkeshwar Singh Resident of Village- Dhodhandih,
P.S. - Surajpura, Dist. - Rohtas.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Prithivi Raj Singh, Adv.
For the Opposite Party/s	:	Mr. Uday Chand Prasad, APP
For the Informant/s	:	Mr. Nagendra Upadhyay, Adv. with Mr. Maya Shankar Mishra, Adv.

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 03-11-2022 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Natwar P.S. Case No. 33 of 2021 lodged under Sections 307,
120(B), 34 of the I.P.C. read with Section 27 of the Arms Act.

As per the prosecution case, the present case has been
filed against 3 known accused persons and 3 unknown accused
persons. The allegation is that the informant who is Doctor of
Animal received information to visit for treatment of cow. In the
meantime, 2 persons with Yamaha motorcycle asked him to
come quickly but when they reached one and half kilometers

away then they stopped motorcycle and make open fire from his back, due to which informant sustained injury on his shoulder. He claimed that he has seen all 3 accused persons with katta, scuffling started between criminals and the informant then they fled away but one of them opened fire by which he sustained three injuries on the body.

Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. He submits that the petitioner was not named in the F.I.R. his name has figured in this case by the confessional statement of co-accused and also supported by the mobile location(CDR).

Learned counsel for the petitioner further submits that his name has come by the confessional statement of Birbahadur Singh who has been granted bail vide order dated 02.08.2022 passed in Cr. Misc. No. 11346 of 2022. Learned counsel for the petitioner submits that petitioner is in custody since 16.11.2021 having one criminal antecedent in which he is on bail.

Learned counsel for the State opposes the prayer for bail and submits that the present petitioner is the main kingpin in this matter and on his plan to murder the informant, the entire conspiracy has been hatched.

Upon specific query that whether charge has been

framed or not, learned counsel for the petitioner submits that till date charge has not been framed.

In the present facts and circumstances of this case and the submissions made above, I am not inclined to grant bail to the petitioner but liberty is hereby granted to the petitioner that he may renew his prayer for bail 2 months after framing of charge and trial court is directed to release him on bail imposing condition so that he may not evade his appearance during trial.

With this observation, the bail application stands rejected.

(Dr. Anshuman, J.)

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