

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45828 of 2021

Arising Out of PS. Case No.-163 Year-2019 Thana- DIDARGANJ District- Patna

GUDDU KUMAR Son of Devendra Chaudhari Resident of Village- Paharpur,
P.S.- Jurawanpur, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar, Advocate

For the Opposite Party/s : Mr. Vinod Shanker Modi, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 30-03-2022 Heard learned counsel appearing on behalf of the
petitioner and learned APP for the State.

Let the defect(s) be removed within two weeks of the
complete start of the physical Court in normal course.

Petitioner, who is in custody since 03.06.2019, seeks
regular bail in connection with Didarganj P.S. Case No. 163 of
2019 registered for offences punishable under Section 394 of the
Indian Penal Code.

Prosecution story in brief is that petitioner along with
other co-accused persons had committed robbery and while they
tried to flee away, upon chase they were apprehended. The
petitioner was arrested along with a loaded country-made pistol
and one live cartridge.

Learned counsel appearing on behalf of the petitioner



submits that for the said incidence a case was lodged separately under Section 25(1-b)a/26/35 of the Arms Act in which he has already been enlarged on bail vide order dated 17.10.2019 passed in Criminal Miscellaneous No. 61795 of 2019 by a co-ordinate Bench of this Court. Till the present case was filed, petitioner had clean antecedent and thereafter, he has been made accused in several cases as stated in paragraph no. 3 of the bail application. Petitioner is in custody since 03.06.2019. The trial has not proceeded till date.

Learned A.P.P., for the State has opposed the prayer for grant of bail to the petitioner.

Considering the period of custody as well as there is no likelihood of trial being concluded in near future, without going into the merits of the case, the petitioner, above named, is directed to be enlarged on bail upon furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Patna City in connection with Didarganj P.S. Case No. 163 of 2019 subject to the following conditions:

(i) Bailors should be local having sufficient immovable property within the jurisdiction of the Court



concerned.

(ii) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(iii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(iv) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bond.

(Purnendu Singh, J)

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