

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45837 of 2021

Arising Out of PS. Case No.-251 Year-2021 Thana- AGAMKUAN District- Patna

=====

Guddu Kumar Son of Paras Nath Singh Resident of Village- Karnpura, P.S.-
Gopalpur, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Rudra Deo, Advocate

For the Opposite Party/s : Mr.A.G

=====

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 13-06-2022 Let the defects, if any, be removed within four
weeks from today.

Heard Mr. Rudra Dev, learned counsel for the
petitioners as well as learned Additional Public Prosecutor
for the State.

The petitioner apprehends his arrest in connection
with Agamkuan P.S.Case No. 251 of 2021 registered for the
offences punishable under Sections 341, 323, 324, 307, 379,
504/34 of the Indian Penal Code.

As per prosecution case, it is alleged that on the
alleged date of occurrence when the informant was coming
to his shop at about 4..25 am, in the meantime the petitioner
and his brother along with other companion intercepted him



and co-accused Rohit Kumar assaulted the informant by means of Dab on his head due to which he sustained head injuries. It is further alleged that in the meantime, this petitioner snatched Rs. 1,35,000/- from the pocket of the informant.

At the outset, learned counsel for the petitioner submits at the bar that as per his information till date the process under Sections 82/83 of the Cr.P.C have not been issued.

It is submitted by the learned counsel for the petitioner that petitioner is cousin and both are family members. So far as the allegation of assault is concerned, that has been attributed against co-accused Rohit Kumar. However, from the report, it appears that only dressing of the wound has been done and the nature of injuries has not even been disclosed. It is next submitted that the story appears to be suspicious and the petitioner has clean antecedent and is ready to give undertaking that he will not indulge in such kind of offenses in future and will abide by the conditions imposed by the Hon,ble Court.

On the other hand, learned APP for the State



opposes the bail application of the petitioner and submits that there is specific allegation against this petitioner that he snatched Rs. 1,35,000/- from the pocket of the informant.

Having considered the submissions made on behalf of the parties and taking into consideration the fact that this petitioner and the informant are family members and so far as allegation of assault is concerned, the same is attributed against Rohit Kumar. Further the story appears to be suspicious, apart from the fact that the petitioner is having no criminal antecedent, let the petitioner above named, be released on bail, in the event of his arrest or surrender before the court below within eight weeks from today, on furnishing bail bonds of Rs. 10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Patna city in connection with Agamkuan P.S.Case No. 251 of 2021 subject to the conditions as laid down under Section 438(2) of the code of Criminal Procedure with the following conditions:-

(I) One of the bailors should be the close relatives



of the petitioner.

(ii) The petitioner will cooperate in the investigation as well as in conclusion of the trial.

(iii) He will not try to tamper with the evidence or intimidate the witnesses in course of investigation or during the course of trial.

(Harish Kumar, J.)

N.K/-

U		T	
---	--	---	--

