

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36675 of 2022

Arising Out of PS. Case No.-354 Year-2018 Thana- DESARI District- Vaishali

GUDDU KUMAR @ NEERAJ KUMAR SON OF PRAMOD KUMAR R/O
VILLAGE- UPHRAUL, P.S.- DESARI, DISTT.- VAISHALI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravish Mishra, Advocate

For the Opposite Party/s : Mr. Md. Matloob Rab, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 03-11-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Let the defect(s), if any, be removed within a period
of four weeks.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 399, 402,
414/34 of the Indian Penal Code, Sections 25(1-b)a, 26 and 35
of the Arms Act and Section 30(a) of the Bihar Prohibition and
Excise (Amendment) Act, 2018.

Learned counsel for the petitioner submits that
petitioner has antecedent of one case.

The informant alleges that he has secret information
that miscreants have assembled for committing an occurrence,
accordingly, he reached the place of occurrence where three
persons were arrested namely, Gautam Kumar, Sanjeev Kumar



and Sujit Paswan and from Gautam Kumar and Sujit Paswan 375 ml. of liquor each was recovered along with the arms and cartridges and they disclosed the name of the petitioner.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case. It is further submitted that petitioner was not apprehended at the spot and his name transpired in the confessional statement of co-accused, which has no evidentiary value in the eye of law. It is next submitted that since petitioner has antecedent, as such, the police implicated him.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds 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/successor court in connection with Desari (Sahdei O.P.) P.S. Case No. 354 of 2018, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. and



further one of the bailors shall be the father (Pramod Kumar) of
the petitioner.

(Satyavrat Verma, J)

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