

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22579 of 2023

Arising Out of PS. Case No.-439 Year-2022 Thana- MITHANPURA District- Muzaffarpur

GUDDU KUMAR Son of Ramdeo Sahni Resident of Village-Shankarpatti,
P.S.-Minapur, District-Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Surendra Kishore Thakur, Advocate Ms. Y. Madhavi, Advocate Mr. Subodh Kumar, Advocate
For the Opposite Party/s	:	Mr. Rajendra Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

2 18-05-2023

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Mithanpura P.S. Case no.439 of 2022 registered under sections 419, 420, 120B and 34 of the Indian Penal Code and section 52 of the Prisoners Act.

3. As per the prosecution case, it is stated by the informant that as a result of criminal conspiracy and forgery while the bail order of Guddu Kumar son of Ramdeo Sahni in connection with Hathauri P.S. Case no.151 of 2022 was received by the Jail Authorities, Guddu Kumar son of Dhaneshwar Ram was released. Subsequently, it is stated that Guddu Kumar son of Ramdeo Sahni in course of enquiry said about not hearing his name when it was called out on the loudspeaker. It is stated that as a result of conspiracy with the said person, he was released.

4. Learned counsel for the petitioner submits that the



petitioner happens to be Guddu Kumar son of Ramdeo Sahni and the order granting bail in connection with Hathauri P.S. Case no.151 of 2022 was passed with respect to him and not the other Guddu Kumar. Firstly, the Jail Authorities released the other Guddu Kumar and then surprisingly made this petitioner as an accused in yet another case. The petitioner is in custody since 30.11.2022 and chargesheet has been submitted in the case.

5. Heard learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the nature of allegation against the petitioner in the F.I.R., the petitioner having remained in custody in this case since 30.11.2022 and chargesheet having been submitted in the case, the Court directs the petitioner to be enlarged on bail in connection with Mithanpura P.S. Case no.439 of 2022 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Muzaffarpur.

(Partha Sarthy, J)

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