

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25111 of 2023

Arising Out of PS. Case No.-91 Year-2019 Thana- HASPURA District- Aurangabad

GUDDU SINGH @ GUDDU @ BHUPENDRA KUMAR SINGH S/O
BIJAY SINGH Resident of Village- Gandhinagar, P.S.- Haspura, District-
Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 26823 of 2023

Arising Out of PS. Case No.-91 Year-2019 Thana- HASPURA District- Aurangabad

SANJAY MAHTO @ SANJAY SINGH S/O- AWADHESH MAHTO R/o-
Shitaldhari Bigha, P.s- Devkund, Distt.- Aurangabad (Bihar)

.. ... Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 25111 of 2023)

For the Petitioner/s : Mr.Mukul Kumari

For the Opposite Party/s : Mr.Ashok Kumar Singh

(In CRIMINAL MISCELLANEOUS No. 26823 of 2023)

For the Petitioner/s : Mr.Ajit Kumar

For the Opposite Party/s : Mr.Rana Randhir Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 23-05-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners seek regular bail in connection with
Haspura P.S. Case No. 91 o 2019 registered for the offence
under Sections 395, 397 of the Indian Penal Code.

As per prosecution case, the informant alleged that
while she was sleeping with her son, in the meantime, she saw



five persons were standing inside her house and one person was standing in the courtyard armed with a gun. The accused persons who were inside her house demanded key of Godrej and said that they were from a party and were coming for guns. On protest, one of them fired upon the son of informant who sustained firearm injury. It is further alleged that the accused persons taken away cash, jewelry as well as other articles from the house of the informant.

Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. They have falsely been implicated in this case. Nothing has been recovered from conscious possession of the petitioners. The petitioners are not named in the FIR rather their name surfaced in this case on the basis of confessional statement of co-accused Kalu Paswan who has already been granted bail by a co-ordinate Bench of this court vide order dated 29.1.2020 passed in Cr. Misc. No. 70696 of 2019, hence the case of this petitioner stands on similar footing of that of co-accused. It is further submitted that the petitioners are languishing in judicial custody for more than three months.

Learned APP appearing for the state has opposed the prayer of regular bail.



Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be released on bail in connection with Haspura P.S. Case No. 91 of 2019 on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned J.M. 1st Class, Aurangabad.

(Sunil Kumar Panwar, J)

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