

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.30687 of 2023**

Arising Out of PS. Case No.-77 Year-2022 Thana- BACHHWARA District- Begusarai

GUDDU KUMAR S/o- SURESH YADAV Village- Narepur West, Ps-  
Bachhwara, Dist- Begusarai

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

For the Petitioner/s : Mr. Jai Prakash Singh

For the Opposite Party/s : Mr. Syed Mojibur Rahman

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

2      14-07-2023                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 147, 148, 149, 302 and 379 of the Indian Penal Code pending in the learned court below.

3. As per the prosecution case, all the accused persons in the F.I.R. including the petitioner assaulted the son of the informant by means of lathi, danda, iron rod and during the treatment he died.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He further submits that there is general and omnibus allegation against the petitioner. He submits that there is no specific overt act against the petitioner. He further submits that there is specific allegation against the co-accused Digaj Kumar



who assaulted on the head of the deceased by means of iron rod and post-mortem report also supported the prosecution case. He submits that similarly situated other co-accused person has already been granted bail by a bench of this Court vide order dated 03.02.2023 passed in Cr. Misc. No. 68184/2022. He further submits that petitioner has got no criminal antecedent as stated in para-3 of the bail application.

5. Learned APP for the State opposes for prayer for bail.

6. Considering the aforesaid facts and circumstances and the fact that there is no specific overt act against the petitioner, let the petitioner, named above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of the learned Court below, where the case is pending/Successor court, in connection with Bachhwara P.S. Case No.77/2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

**(Anjani Kumar Sharan, J)**

ajay/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

