

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30691 of 2023

Arising Out of PS. Case No.-99 Year-2023 Thana- GHORASAHAN District- East
Champaran

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GUDDU KUMAR s/o Jagat Ray Resident of Village- Ghurmiyan P.S.
Ghorasahan, District East Champaran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Abhishek Kumar

For the Opposite Party/s : Mr. Choubey Jawahar

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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 467, 468, 413 and 414/34 of the Indian Penal Code pending in the learned court below.

3. As per the prosecution case, during the course of patrolling two persons on motorcycle were apprehended by the Police. Thereafter, police received information through officer-in-charge Ghorasahan that police-spy disclosed that one stolen motorcycle was kept in Gurmiya Bamboo Orchard. On query, they disclosed their names as Luv Kumar and Satish Kumar and stated that they have sold motorcycle to Guddu Kumar and Guddu Kumar (petitioner) concealed stolen motorcycle in



Bamboo orchard. Thereafter, police reached there and seeing the police one person fled away who was identified by the accused persons as Guddu Kumar and on search one red color passion pro stolen motorcycle was recovered.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He further submits that petitioner is not arrested on the spot and there is no incriminating article has been recovered from the conscious possession or from the house of the petitioner. He submits that petitioner is not the owner of the said bamboo orchard and he has no concern with the alleged stolen motorcycle and bamboo orchard. He further submits that except confessional statement of co-accused persons, there is no evidence or material to show his complicity in the alleged occurrence. 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, 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 Ghorasahan P.S. Case No.99/2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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