

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35952 of 2023

Arising Out of PS. Case No.-67 Year-2023 Thana- SHEIKHOPUR SARAI District-
Sheikhpura

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Guddu Kumar, Son Of Dilip Yadav, Resident Of Village- Bajidpur, P.S.-
Kashichak (SHAHPUR OP), Distt- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Syed. Rizwanul Haque, Adv.
For the Opposite Party/s : Mr. Nagendra Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 12-07-2023 Heard learned counsel for the petitioner and the

learned APP for the State.

2. Petitioner seeks regular bail in connection with

Sheikhopur Sarai P.S. Case No. 67 of 2023 dated 17.04.2023

registered for the offences punishable under Sections 419,

420, 467, 468, 471 and 120B/34 of the Indian Penal Code.

3. The main submissions advanced by learned

counsel for the petitioner are that the petitioner has fair and

clean antecedent and has not committed any offence and he

has been falsely implicated in this case merely on the basis of

suspicion and he is stated to be driver of the alleged vehicle

and nothing incriminating material has been recovered from

his conscious possession except one mobile phone (*Itel*



keypad) but the same is in the name of this petitioner. It is further submitted that there is general and omnibus allegation against the petitioner and the witnesses of the search and seizure are police personnel and the police did not follow the procedure of section 100 of Cr.P.C. and the petitioner has been languishing in jail since 18.04.2023. It is further submitted that similarly situated co-accused persons namely Chhotu Kumar, Ganesh Chaudhari, Sunny Kumar @ Sunny and Raju Kumar have been granted bail by a co-ordinate Bench of this Court vide orders passed in Cr. Misc. Nos. 38009/2023, 36541/2023 and 36815/2023 respectively.

4. Learned APP appearing for the State has opposed the bail prayer.

5. Considering the above submissions and mainly the facts that the petitioner has fair and clean antecedent and nothing incriminating material has been recovered from his conscious possession and the nature of allegation against him is general and omnibus and similarly situated co-accused persons mentioned-above are on bail, in my opinion it is a fit case for bail to the petitioner. Accordingly, let the petitioner named-above be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like



amount each to the satisfaction of the Court concerned in
connection with Sheikhopur Sarai P.S. Case No. 67 of 2023.

(Shailendra Singh, J)

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