

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45487 of 2023

Arising Out of PS. Case No.-779 Year-2022 Thana- GOPALGANJ TOWN District-
Gopalganj

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Guddu Yadav @ Guddu Kumar S/O Tilak Yadav @ Tilak Chaudhari R/O
Village- Tirbirwa, Ps. Gopalganj, Dist. Gopalganj, Bihar-841428

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Praveen Kumar

For the Opposite Party/s : Mr.Sanjay Kumar Sharma

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 28-07-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has prayed for regular bail in a case
registered for the offence punishable under sections 302,
201, 120(B) of the Indian Penal Code.

As per prosecution case, the informant alleged that
petitioner is indulged in hatching conspiracy to kill the
informant's brother namely, Javed Mustafa in connivance
with others by stabbing sharp cut weapon.

Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He has
falsely been implicated in this case. From perusal of



prosecution story, it appears that the dead body of the deceased was recovered behind the house of other co-accused Krishna Kumar and this petitioner has no concern with the alleged offence. There is no any eye-witness of the alleged occurrence. During course of investigation, no any consistent material has come on record to connect the petitioner with the alleged occurrence. The entire prosecution hinges around merely on the basis of suspicion. A statement has been made in para-3 of the petition that the petitioner has got no criminal antecedent. Similarly situated co-accused has already been granted bail by this Court vide order dated 20.06.2023 passed in Cr. Misc. No. 3668 of 2023. The petitioner is languishing in judicial custody since 27.03.2023.

Learned APP appearing for the state and learned counsel for the informant have vehemently opposed the prayer of regular bail and submitted that there were multiple stab wounds on the body of deceased caused by sharp cut objects.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well



as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Gopalganj Town P.S. Case No. 779 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Ist Class, Gopalganj.

(Sunil Kumar Panwar, J)

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