

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45113 of 2023

Arising Out of PS. Case No.-42 Year-2023 Thana- KARAKAT District- Rohtas

GUDDU KUMAR @ VIKASH KUMAR son of Pati Singh @ Sripati Singh
Village- Gorari Ps- karakat Dist- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amaresh Kumar Sinha, Adv.

For the Opposite Party/s : Mr.Ajay Kumar Jha, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 23-08-2023 Heard the parties.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 341, 323, 504, 506, 307, 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

3. The prosecution story, in brief, is that on 19.02.2023 at about 17:00 p.m., when the informant was going to his village from Karup Bazar, on the way, he saw that all the FIR named accused persons including this petitioner were beating the informant's son. Thereafter, when the informant went there to save his son, co-accused Ritesh Singh @ Tutu and Neeraj fired upon the informant's son, one shot of firing missed, whereas another hit on his chest due to which his son died.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. No such occurrence as alleged ever took place. Petitioner is a student



of B.A. 1st year. He has been falsely implicated in this case due to ulterior motive. The allegation of assault levelled against the petitioner is not specific rather general and omnibus in nature. There is specific allegation against the co-accused Neeraj and Ritesh Singh @ Tutu that they fired upon the informant's son due to which he died. Petitioner has one criminal antecedent as mentioned in para-3 of this application.

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

6. Having regard to the facts and circumstances of the case, as there is no specific overt of firing against the petitioner due to which the informant's son died, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Karakat P.S. Case No. 42 of 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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