

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48184 of 2023

Arising Out of PS. Case No.-114 Year-2023 Thana- GARKHA District- Saran

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GOLU KUMAR @ SUJAY KUMAR Son Of Harendra Singh @ Harendra Mahto, Resident Of Village- Maiki Udhyan Tola, P.S. -Garkha Distt- Saran at Chhapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Udai Shankar Singh, Adv.
For the Opposite Party/s : Mr. Mohammad Sufyan, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 2 03-08-2023 1. Heard learned counsel for the petitioner and learned APP for the State.
2. As prayed, petitioner's counsel is permitted to add the date of custody of the petitioner in paragraph No. 21 of the petition in course of the day.
3. Petitioner seeks regular bail in connection with Garkha P.S. Case No. 114 of 2023 dated 03.03.2023 registered for the offence(s) punishable under Section(s) 399, 402, 324, 307, 337, 353 read with Section 34 of the Indian Penal Code and Section(s) 25(1-B)a, 26, 27 and 35 of the Arms Act.
4. The main submissions advanced by petitioner's counsel are that the petitioner was not apprehended at the spot,



co-accused Ravindra Mahto, who happens to be brother of this petitioner and is stated to have been arrested at the spot, disclosed the name of this petitioner being involved in the alleged crime but in fact a partition had taken place in between them nine years ago and a copy of the said deed of partition has been filed as Annexure-2 and the petitioner's brother intentionally named this petitioner to harass him and moreover, the main allegations are against co-accused Ravindra Mahto and Rajesh Kumar Singh @ Rajesh Kushwaha. Further submissions are that the petitioner himself surrendered before the Court below on 01.05.2023 and since then he has been languishing in jail having fair and clean antecedent and against him, the investigation has been completed.

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

6. Considering the above submissions and mainly taking into account the completion of investigation against this petitioner as well as nature of allegation, this Court is inclined to accept the petitioner's prayer for bail. 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 concerned Court in



connection with Garkha P.S. Case No. 114 of 2023.

(Shailendra Singh, J.)

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