

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54266 of 2023

Arising Out of PS. Case No.-916 Year-2021 Thana- HAJIPUR SADAR District- Vaishali

GUDDU DAS @ GUDDU RAM @ GUDDU KUMAR SON OF SURESH
RAM R/O-AAJAMPUR (AZAMPUR), P.S.-DESARI (O.P. CHANDPURA),
DISTT.-VAISHALI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rina Sinha
For the Opposite Party/s : Mr.Umanath Mishra

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 24-08-2023 Heard the parties.

2. The petitioner is in Judicial custody in connection with Sessions Trial No.775 of 2022, arising out of Hajipur Sadar P.S. Case No. 916 of 2021 instituted under Section 395 of I.P.C. lodged on 18.10.2021 by the informant, Rakesh Kumar.

3. As per the prosecution story, while the informant was working in his office as a guard, four accused persons entered into the office, abused and assaulted the guard on the point of pistol and took away Rs.3,08,610/- kept in bag as also some gadgets and motorcycle.

4. Learned counsel for the petitioner submits that the name of the petitioner has come on the confessional statement of co-accused, Chotu Kumar and has remanded in this case on 06.05.2022 (Para 8 of the bail petition). Learned counsel for the



petitioner further submits that co-accused, Vishal Kumar has been granted bail by a coordinate Bench of this Court vide order dated 02.01.2023 passed in Cr. Misc. No.18447 of 2022.

5. Learned APP opposes the prayer for bail stating therein that he has criminal antecedent of same nature inasmuch as he has 12 cases.

6. Considering the submission put forward by learned counsel for the petitioner and as his name has come up on the confessional statement and one of the co-accused has been granted bail, this Court is inclined to grant him privilege of bail after framing of charge.

7. Let the petitioner be released on bail **after framing of charges** on furnishing bail bond of Rs. 10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-XI, Vaishali at Hajipur, in connection with Sessions Trial No.775 of 2022 arising out of Hajipur Sadar P.S. Case No. 916 of 2021 subject to following conditions :

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his bona fide;

(ii) the petitioner shall appear on each and every date



before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial court itself,

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds:

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

sanjeev/-

U		T	
---	--	---	--

(Rajiv Roy, J)

