

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52979 of 2023

Arising Out of PS. Case No.-417 Year-2019 Thana- SARAI District- Vaishali

GUDDU KUMAR Son of Sri Ashok Singh Resident of village - Chakaji
Nizam, P.S. - Mahua, Distt. - Vaishali

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan

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

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 30-10-2023 1. Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
registered for the offence punishable under sections 302/34 of the
Indian Penal Code and Section 27 of the Arms Act.

3. The prosecution case, in brief, is that that informant
alleged that while his brother was returning home after
discharging his duty, he was committed murder near house of
Deo Narayan Rai. The informant suspects that Mahesh Thakur
has killed his brother because he wanted to marry his daughter
with informant's brother forcibly.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. The
petitioner is not named in FIR rather he has falsely been
implicated in this case merely on suspicion. The petitioner has no



concern with the alleged offence and his name has been transpired in his case on the basis of confession made by co-accused Manish Kumar before the police, which has got no evidentiary value in the eye of law. Similarly situated co-accused has already been granted bail by this Court vide order 28.03.2023 passed in Cr. Misc. No. 2214 of 2023. It is further submitted that the petitioner is languishing in judicial custody since 25.07.2022.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. 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 Sarai P.S. Case No. 417 of 2019 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-16th, Vaishali at Hajipur.

(Sunil Kumar Panwar, J)

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