

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58786 of 2023

Arising Out of PS. Case No.-115 Year-2023 Thana- BARUN District- Aurangabad

Guddu Kumar Son Of Rajeshwr Yadav Resident of Village- Basdiha,
Nararikala Khurd, Dist- Aurangabad

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Harendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Rajiv Nayan, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 08-11-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail in connection with
Barun P.S. Case No. 115 of 2023, lodged on 11.03.2023, under
Sections under Sections 147/148/149/341/323/324/302 of the
I.P.C.

3. As per the prosecution, the FIR has been lodged
against 11 named accused persons alleging therein that they all
have attacked on the deceased continuously till his death.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He submits
that from the content of the FIR itself, it transpires that there is
no specific allegation against the petitioner rather there is
general and omnibus allegation against the petitioner. Counsel



submits that antecedent of the petitioner is clean and he is in custody since 07.07.2023. He also submits that two other co-accused persons have been granted bail by a coordinate Bench of this Court vide orders dated 01.09.2023 and 18.09.2023 passed in Cr. Misc. No.47951 of 2023 and Cr. Misc. No.46347 of 2023 respectively.

5. Learned counsel for the State vehemently opposes the prayer for bail and submits that it is a unique case in which murder has been caused. He submits that it is true that allegation is general and omnibus but reason behind the murder has been stated that it is a murder of witness.

6. Upon going through the last content of FIR that murder of deceased has taken place only and only due to the reason that he was witness in one case.

7. It is due to this reason, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for bail of the petitioner is hereby rejected with liberty that he may renew his prayer for bail after framing of the charge.

(Dr. Anshuman, J)

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