

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66507 of 2022**

Arising Out of PS. Case No.-38 Year-2022 Thana- LAUKAHA District- Madhubani

GUDDU KUMAR Son of Late Chhimmo Yadav @ Falash Yadav Resident
of- Jawarganj Kodha, Ward No.-1, P.S.- Kodha, District- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rana Vikram Singh, Advocate

For the Opposite Party/s : Ms. Sharda Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER**

2 22-02-2023 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Laukaha
P.S. Case No. 38 of 2022 registered for the offence under
Sections 392 and 304 of the Indian Penal Code.

The accused/petitioner is not named in the F.I.R. and
is in custody since 11.03.2022.

The allegation against the petitioner is to cause death
of wife of informant while committing robbery and while
committing so, taken away cash of Rs. 2,00,000/-, belongs to
the informant, immediately withdrawn from the Bank.

Learned counsel appearing on behalf of the petitioner



submitted that name of the petitioner surfaced on the basis of self confessional statement of the petitioner, where, nothing incriminating material surfaced/recovered, during course of investigation, which may connect this petitioner, *prima facie*, with the present set of occurrence of robbery. It is submitted that petitioner was not put on TIP, as yet. While concluding the argument, it is submitted that petitioner found involved in one case, where, he on bail and moreover, investigation of this case has been completed, for which, charge-sheet has already been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, while opposing the prayer of bail, fairly conceded the fact that petitioner was not named in the FIR.

Considering the facts and circumstances as mentioned above and by taking note of fact that no incriminating material surfaced/recovered, during course of investigation, which may connect this petitioner, *prima facie*, with the present of occurrence of robbery coupled with the fact that charge-sheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Laukaha P.S. Case No. 38 of 2022, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount



each to the satisfaction of learned A.C.J.M.,
Jhanjharpur/concerned court, subject to the condition as
mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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