

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75688 of 2023

Arising Out of PS. Case No.-466 Year-2023 Thana- RAMPUR District- Gaya

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GUDDU KUMAR SON OF VINOD SHARMA @ VINOD MISTRI R/O OF
VILLAGE- BHADAN, P.S.- TANKUPPA, DISTRICT- GAYA

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Aryan Singh

For the Opposite Party/s : Mr.Satyendra Narayan Singh

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 01-12-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Rampur P.S. Case No.466 of 2023 registered for the offences punishable under Sections 414, 467, 468, 420 and 34 of the IPC.

3. As per prosecution case, informant and police official, during the course of checking, apprehended two persons who were trying to flee away on apache motorcycle in question. Apprehended persons disclosed their name as co-accused Indal Kumar and Guddu Kumar(petitioner). It is further alleged that when police official asked for document of the said motorcycle, the petitioner and other neither produced any document nor did they reply any satisfactory answer regarding the said vehicle. On further investigation, the police official



found that the said motorcycle was stolen one.

4. Learned counsel for the petitioner submits that petitioner is in custody since 15.07.2023 and bears no criminal antecedent. Charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence. He further submits that petitioner has taken the lift on the said motorcycle and he has no knowledge that it was stolen one. Petitioner is neither owner nor driver of the said motorcycle in question. He further submits that petitioner is quite innocent and has committed no offence as alleged in the FIR.

5. The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case, period of custody, keeping in view clean antecedent of the petitioner, charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioner above named be released on bail, 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-IV, Gaya in



connection with Rampur P.S. Case No.466 of 2023 , subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Alok Kumar Pandey, J)

vashudha/-

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