

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44 of 2023

Arising Out of PS. Case No.-411 Year-2021 Thana- BEGUSARAI TOWN District- Begusarai

Guddu @ Gudla @ Mohan Kumar S/O Sudhir Ray @ Sudhir Singh Resident
Of Village And P.S.- Matihani, District- Begusarai.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jai Prakash Singh

For the Opposite Party/s : Mr.Anita Kumari

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 24-03-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has filed the instant application
for grant of regular bail in a case registered for the
offences punishable under Sections 341, 307, 302, 504,
506, 120(B)/34 of the Indian Penal Code and Section
27 of Arms Act.

As per allegation in the FIR, as soon as the
informant along with his friends reached near Masuri
school, co-accused Vivek Kumar, Jayant Kumar, Aniket
@ Bittu along with 4-5 unknown persons started firing
upon the informant, due to which he sustained injury



over right side of his chest. It is further alleged that Ankit Kumar died at the spot and one Raja Kumar is under treatment.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case. Petitioner is not named in the F.I.R. The name of the petitioner sprang up in this case on the confessional statement of co-accused Vivek Kumar, with whom the petitioner has inimical terms. There is no specific allegation against the petitioner rather the specific allegation of shot fire is levelled against co-accused Aniket @ Bittu who shot the informant and co-accused Vivek who shot Ankit Kumar and another co-accused Jayant Kumar who shot to Raja Kumar. Moreover, the petitioner is languishing in judicial custody since 15.10.2022. Similarly situated co-accused has been granted bail vide order dated 7.7.2022, passed in Cr. Misc. No. 9345 of 2022 by the co-ordinate Bench of this Court.



Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Begusarai Town P.S. Case No. 411 of 2021 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st, Class, Begusarai.

(Sunil Kumar Panwar, J)

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