

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8350 of 2024

Arising Out of PS. Case No.-470 Year-2022 Thana- NAGAR District- Vaishali

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Guddu Kumar @ Manariya @ Keshari @ Maneriya Son of Shambhu Roy R/o
vill - Sital Patti, ward no. 7, P.S. - Muffasil, Distt. - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Yugal Kishore, Advocate

For the Opposite Party/s : Mr. Dilip Kumar No. 1, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 17-05-2024 Heard learned counsel appearing on behalf of

the petitioner and learned counsel appearing on behalf of

the State.

2. The petitioner seeks bail in connection with

Hajipur Town P.S. Case No. 470 of 2022 registered for

the offence under Section 396 of the Indian Penal Code

(for short 'I.P.C.').

3. The accused/petitioner is not named in the

F.I.R. and is in custody since 04.12.2022.

4. The allegation against the petitioner is to

commit murder of the husband of informant while

committing dacoity alongwith other co-accused persons



and to take away several ornaments made up of silver and gold belongs to her shop M/s. Nilam Jewelry.

5. Learned counsel appearing on behalf of the petitioner submitted that petitioner implicated with the present case only out of suspicion as his name surfaced on the basis of confessional statement of co-accused Rashid Latif @ Rashid Khan, in furtherance of which no incriminating material recovered/surfaced as to connect this petitioner with the present occurrence. It is also pointed out that petitioner was not put on TIP as yet to connect prima facie with present occurrence of murder and dacoity. It is submitted that seizure list is also appearing doubtful, being not supported by independent witnesses rather by police personnel. It is also submitted that similarly situated co-accused namely Rashid Latif @ Rashid Khan has already granted bail by learned Co-ordinate Bench of this Court through Cr. Misc. No. 1847 of 2023 vide order dated 09.05.2023. While concluding the argument, it has been submitted that petitioner



found involved in two more criminal cases, where he is on bail and moreover, investigation of this case is completed, for which charge-sheet has already submitted, as such, there is no chance of tampering with the evidence.

6. Learned APP for the State, opposes the prayer for bail.

7. Considering the facts and circumstances as mentioned above and by taking note of the fact as no recovery of alleged ornaments appears to be made from the possession of petitioner, where save and except suspicion arising out of confessional statement nothing incriminating appears against this petitioner, where petitioner is in custody since 04.12.2022, coupled with the fact that charge-sheet has already submitted, let the petitioner, above named, is directed to be released on bail in connection with Hajipur Town P.S. Case No. 470 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 Chief Judicial Magistrate,
Vaishali, Hajipur/concerned Court, subject to the
conditions as mentioned under Section 437(3) of the
Cr.P.C.

(Chandra Shekhar Jha, J.)

S.Tripathi/-

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