

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7820 of 2024

Arising Out of PS. Case No.-632 Year-2023 Thana- PATLIPUTRA District- Patna

Saiyad Shahanwaz Hussain @ Saiyad Shahanwaz Son Of Md. Iftekhar Hussain @ Md. Iftekhar Hussai Resident Of Gurhatta Sonar Toli, Dr.Masuk Ali Road, P.S.-Khajekalan, Dist.-Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 6915 of 2024

Arising Out of PS. Case No.-632 Year-2023 Thana- PATLIPUTRA District- Patna

Guddu @ Guddu Ray Son Of Bacchu Ray Resident Of Muhalla-Rajiv Nagar, Road No.8, P.S.-Rajeev Nagar, Distt.-Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 22527 of 2024

Arising Out of PS. Case No.-632 Year-2023 Thana- PATLIPUTRA District- Patna

Uday Kumar Son Of Late Bangali Rai R/O-Kurji Balupar, P.O.-Sadaquat Ashram, P.S.-Digha, Distt.-Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 7820 of 2024)

For the Petitioner/s : Mr. Pramod Kumar, Advocate
For the Opposite Party/s : Mr. Ganesh Prasad Singh, APP
For the Informant : Mr. Ratnakar Pandey, Advocate

(In CRIMINAL MISCELLANEOUS No. 6915 of 2024)

For the Petitioner/s : Mr. Pramod Kumar, Advocate
For the Opposite Party/s : Mr. Dr.Mrityunjaya Kr. Gautam, APP
: Mr. Ratnakar Pandey, Advocate

(In CRIMINAL MISCELLANEOUS No. 22527 of 2024)

For the Petitioner/s : Mr. Awnish Kumar, Advocate
For the Opposite Party/s : Mr. Tapeswar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA

ORAL ORDER

4 19-04-2024 Heard learned counsel for the petitioners, learned



counsel for the informant and learned APP for the State.

2. The petitioners seek bail in a case registered for the offence under Sections 326, 307, 120(B) and 302 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per the prosecution case, four unknown persons hired by the named accused persons came on two motorcycles and shot the brother of the informant who later on died. It is further alleged that contract killers were hired to kill the brother of the informant.

4. Learned counsel for the petitioners submits that petitioners has falsely been implicated in this case. Petitioners are not named in the FIR and the informant is not an eye witness of the alleged occurrence and they have no concern with the alleged occurrence and Nothing incriminating article has been recovered from their conscious possession of the petitioners. The name of the petitioners appeared from confessional statement of co-accused persons. Similarly situated co-accused persons have already been granted bail by this court in Cr. Misc. Nos. 6309 of 2024, 14021 of 2024.

5. Learned APP appearing for the State as well as learned counsel for the Informant opposes the prayer for bail of the petitioners. The learned counsel for the Informant submits



that petitioner no.2(Guddu Ray @ Guddu) has four criminal antecedents, petitioner no.1 has two criminal antecedents and petitioner no.3 is also has two criminal antecedents. He next submits that on the basis of confessional statement of petitioner Saiyad Shahanwaz Hussain one motorcycle was also recovered. The other four unnamed accused were also seen in CCTV camera in Boaring Road Chowk. He next submits that several pistol and magazines were also recovered by the I.O. which is evident from the case diary as para nos.201 to 207. Learned counsel for the informant concluded the submission stating that the petitioners are active participant of the alleged offence.

6. Considering the facts and circumstances of the case, let the petitioners, above named, be directed to be released on bail in connection with Patliputra P.S. Case No.632 of 2023 on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of ACJM-I, Patna/concerned Court.

(Ramesh Chand Malviya, J)

Brajesh Kumar/-

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