

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20436 of 2024

Arising Out of PS. Case No.-398 Year-2023 Thana- MOTIPUR District- Muzaffarpur

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Guddu Kumar @ Guddu Kushwaha S/o- Late Ram Ekbal Bhagat @ Ram
Ikbal Prasad village- Senduari Ganj Singh, Ps- Motipur Dist- Muzaffarpur,
A/p- Panchwati Govindnagar H.Borad Ps- Kakrauli Dist- Rajasmand
Rajasthan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Rakesh Kumar, Advocate
For the Informant	:	Mr. Ratneshwar Prasad, Advocate
		Ms. Nitu Kumari, Advocate
For the Opposite Party	:	Mr. Binod Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 19-03-2024 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

2. The petitioner seeks bail in Motipur P.S. Case No.
398 of 2023, instituted for the offences punishable under
Sections 341, 323, 324, 307, 379, 504, 506 and 34 of the Indian
Penal Code and Section.

3. The prosecution case, in short, is that, petitioner
along with other co-accused persons entered into the house of
the informant, inflicted lathi, danda and iron blow on the head
of his wife, assaulted the informant along with his brother and
son, as well as snatched gold chain, mangalsutra and jitiya..

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in the present case. No incriminating article has been recovered from the conscious possession of the petitioner. The nature of injury sustained by wife of the informant is grievous in nature and the nature of injury sustained by the son of the informant is simple in nature caused by heavy and blunt substance. It is further submitted that the allegations levelled against the petitioner is not specific, rather general and omnibus in nature. There is case and counter case between the parties. The petitioner is languishing in judicial custody since 19.01.2024 and has got no criminal antecedent.

5. Learned APP for the State and learned counsel for the informant has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, taking into account the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Motipur P.S. Case



No. 398 of 2023, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Rajorshi/-
Alok/-

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