

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56010 of 2024

Arising Out of PS. Case No.-144 Year-2023 Thana- PASRAHA District- Khagaria

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Guddu Singh @ Rupesh Kumar @ Rupesh Singh @ Guddu Singh S/o Late
Tuntun Singh @ Mukund Kumar Resident of Village- Pasraha, PS Pasraha,
Distt. - Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. N. K. Agrawal, Senior Advocate
		Mr. Dilip Kumar, Advocate
		Mr. Kumar Rajdeep, Advocate
For the Opposite Party/s :		Ms. Nirmala Kumari (APP I/c.)

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**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

4 18-10-2024 Heard learned counsel appearing on behalf

of the parties.

2. The petitioner seeks bail in connection with

Pasraha P.S. Case No.144 of 2023 registered for the offence

under Sections 302, 307/34, 120B of the Indian Penal Code and

Section 27(3) of the Arms Act.

3. As per FIR, the petitioner along with other

four miscreants has fired upon the husband of the informant,

due to which, he sustained firearm injury on his head, right ribs

and subsequently, he died on the spot itself. It is further alleged

that other relatives of the informant also received firearm

injuries.



4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner has falsely been implicated in the present case. It is submitted no specific allegation as regard to firing upon the deceased has been levelled against this petitioner rather specific allegation has been levelled against other co-accused persons, whose bail has already been rejected by this Court. It also appears that petitioner marked his presence at the time of occurrence and allegation against this petitioner is only of the conspirator. It has been submitted that investigation of this case has been completed, for which, charge-sheet has already submitted, as such, there is no chance of tampering with the evidence. It is also submitted that it appears from paragraph no.72 of the case diary, no incriminating articles have been recovered from the possession of the petitioner. It is submitted that nothing has been surfaced from the possession of the petitioner, during course of investigation, which may connect him with the present set of murder. It is further submitted that petitioner is in custody since 11.12.2023.

5. Learned APP appearing for the State, opposes the prayer for bail of the petitioner.

6. Considering the facts and circumstances and



submissions made on behalf of the petitioner, let the petitioner, above named, is directed to be released on bail, in connection with Pasraha P.S. Case No.144 of 2023 on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Khagaria.

7. However, the petitioner is directed to present physically on each and every date before the Trial Court till conclusion of the trial and if the petitioner would absent for two consecutive dates without any cogent reason, the bail bonds of the petitioner shall be cancelled by the learned trial court itself.

(Ramesh Chand Malviya, J)

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