

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59933 of 2024

Arising Out of PS. Case No.-182 Year-2024 Thana- RIGA District- Sitamarhi

Guddu Kumar @ Guddu Kumar Singh @ Kaushik Rajput Son of Late Ram Bahadur Singh R/V-Village- Sonar, PO- Pokhar Bhinda, Ward No. 6, PS- Riga, Distt.- Sitamarhi (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Kumar, Adv.

For the Opposite Party/s : Mr. Anil Kumar Singh No. 1

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 28-08-2024 Heard Mr. Uday Kumar, learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail, who is in custody in connection with Riga P.S. Case No. 182 of 2024 registered for the offences punishable under Sections 341, 323, 384, 353, 354, 332, 333, 504 and 506 of the Indian Penal Code.

3. Based upon the written report, the prosecution alleges that while the informant was in the police station, she received a phone call on her mobile; the caller disclosed his name as Guddu Kumar @ Kaushik Rajput (petitioner) and started abusing and threatening her. When the police reached on the house of the petitioner, he came with a sword and assaulted the informant, however, he was apprehended by the other police



personnel.

4. Learned counsel for the petitioner contended that the narratives made in the FIR clearly suggest that barring the allegation that the petitioner indulged in abusing the police personnel, there is no other allegation. The assault by means of sword does not appear to be reliable; inasmuch as none of the police personnel has sustained any injury. It is further contended that even the allegation is taken to be true, no offence much less under Section 384 of the I.P.C. is made out. It is next contended that most of the offences are bailable in nature. The petitioner undertakes that he shall not be indulged in such type of activities in future. The petitioner has been incarcerated since 11.06.2024 having fair antecedent.

5. On the other hand, learned counsel for the State vehemently opposed the bail application.

6. Regard being had to the submissions made on behalf of the parties and considering the nature of allegation and the fact that none has sustained any injury, coupled with the fair antecedent of the petitioner and his undertaking, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-VI, Sitamarhi in connection with Riga P.S.



Case No. 182 of 2024, subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(v) The court below shall verify the criminal antecedent of the petitioner and, in case, at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take immediate step for cancelling the bail bond of the petitioner. However, the acceptance of bail bonds, in terms of the above-mentioned order, shall not be delayed for this purpose or in the name of verification.

(Harish Kumar, J)

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