

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68932 of 2023

Arising Out of PS. Case No.-125 Year-2023 Thana- DHANARUA District- Patna

GUDDU KUMAR son of Janardan Prasad village- Sebdaha Bigha Par Ps-
Dhanarua Dist- patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Sarbjeet Kumar, Advocate
For the State : Mr. Shantanu Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 27-02-2024 Heard learned counsels for the parties.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 147, 149, 341, 323, 307, 302 and 120B of the Indian Penal Code and Section 27 of the Arms Act.

3. The prosecution case in brief is that while the informant was sitting at home with her husband, namely Pappu Kumar, co-accused persons called her husband and asked him to come near the petrol pump to play D.J.. Thereafter it is alleged that when husband of the informant went to play D.J., he was brutally assaulted by all the accused persons. Thereafter, when the husband of the informant returned home, the co-accused persons, including this petitioner, again came to house of the informant and assaulted her husband, on account of which



husband of the informant died.

4. It is submitted by learned counsel appearing on behalf of the petitioner that petitioner has falsely been implicated in this case. As a matter of fact, informant is daughter of co-accused Kamlesh Prasad @ Congres Prasad, who had solemnized marriage with the deceased against the will of her family and as a result of which, they were on inimical terms and it is the family of co-accused Kamlesh Prasad @ Congres Prasad, who assaulted the husband of the informant and killed him. It is next submitted that petitioner, along with 16 other persons, has been made an accused in this case. Allegation of assault is general and omnibus and no specific accusation of overt act has been alleged against this petitioner. Petitioner claims clean antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail.

6. Considering the aforesaid facts and circumstances, nature of accusation and clean antecedents of the petitioner, the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of six weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten



thousand) with two sureties of the like amount each to the satisfaction of learned J.M. 1st Class, Masaurhi, Patna, in connection with Dhanarua P.S. Case No.125 of 2023, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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