

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77930 of 2024

Arising Out of PS. Case No.-19 Year-2024 Thana- KHODAWANDPUR District- Begusarai

Sandeep Kumar @ Guddu @ Guddu Kumar son of Mr. Rajendra Prasad Singh Resident of Village- Bariyarpur (East) P.S- Khodawanpur, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Ms. Vaishnavi Singh, Advocate
For the Opposite Party/s	:	Mr. Ram Anurag Singh, APP
For the Informant	:	Mr. Anil Kumar Sinha, Advocate

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

3 18-12-2024 Heard learned counsel for the petitioner and learned APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with Khodawanpur P.S. Case No. 19 of 2024 instituted for the offences under Sections 302/34 of the IPC and Sections 25(1-b)a, 27 of the Arms Act.

3. As per the prosecution case, informant got information that his son has been killed by firearms and he was lying in an ensanguining state.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. Learned counsel further submitted that petitioner is nowhere



connected with the alleged occurrence and except the fact that he went along with the deceased, there is no material against the petitioner. Learned counsel further submitted that petitioner is the friend of the deceased and there is no reason assigned to him for commission of murder of the deceased. It has been submitted on behalf of the petitioner that the petitioner is in custody since 08.02.2024 and has two criminal antecedents.

5. Learned A.P.P. for the State and learned counsel for the informant vehemently opposed the prayer for grant of bail to the petitioner. Learned APP submitted that as per paragraph no. 48 of the case diary, the petitioner in his confessional statement stated that this petitioner called the deceased and the petitioner along with other accused persons with common intention committed murder of the deceased. Learned APP further submitted that this petitioner has further disclosed that one Pappu Sahani fired upon the deceased due to which the deceased died. Learned counsel for the informant, therefore, prays that petitioner may not be released on bail as he is main accused who called the deceased and thereafter, murdered him with the help of other accused persons.

6. Considering the confessional statement of the petitioner wherein he has specifically stated that one co-accused



Pappu Kumar fired upon the deceased due to which the deceased died and other facts and circumstances of the case as also 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/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Khodawanpur P.S. Case No. 19 of 2024, 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)

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