

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79223 of 2024

Arising Out of PS. Case No.-13 Year-2023 Thana- MURLIGANJ District- Madhepura

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Guddu Kumar @ Sudhakar Kumar Son of Sri Amarnath Prasad Yadav
Resident of Village - Nayanagar, Parmanandpur, P.S. - Muriliganj, District -
Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Shailendra Kumar Singh, Advocate Mr. Bhagyashnu Raj, Advocate
For the State	:	Mr. Choubey Jawahar, APP

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 22-11-2024 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner apprehends his arrest in connection with Murliganj P.S. Case No. 13 of 2023, dated 08.01.2023 registered for the offences punishable under Sections 341, 323, 324, 307, 379, 420, 504 & 506 read with Section 34 of I.P.C.

3. As per allegation, one Sonu Kumar along with his associates assaulted the informant and snatched his mobile, ATM Card, Pan Card and Green Card and fraudulently transferred Rs. 2,61,000/- from the account of the informant.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that name of the petitioner has nowhere



transpired. However, the police is running after him intending to arrest him on account of suspicion of he being an associate of the co-accused Sonu Kumar. He further submits that main accused Sonu Kumar has been already acquitted after full trial bearing No. Sessions Trial No. 347 of 2023 vide judgment dated 05.06.2024 passed by learned Additional District and Sessions Judge-Ist-cum-Special Judge, SC&ST (POA), Madhepura.

5. It is also stated in paragraph no. 2 of the petition that petitioner has never moved before this Hon'ble Court for grant of Anticipatory Bail or Regular Bail. It has further been stated that the petitioner has no criminal antecedent.

6. However, the learned APP for the State has opposed the prayer for bail.

7. Considering the aforesaid facts and circumstances, this application is allowed, directing the petitioner, above-named, to be enlarged on bail in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Ld. Additional Chief Judicial Magistrate-Ist, Madhepura, in connection with Murliganj P.S. Case No. 13 of



2023, subject to the conditions as laid down under Section 438
(2) Cr.P.C. and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents, Ld. court below shall cancel the bail bond of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, Ld. court below shall cancel the bail bond of the petitioner.

(Jitendra Kumar, J.)

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