

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81574 of 2024

Arising Out of PS. Case No.-166 Year-2020 Thana- KATEYA District- Gopalganj

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Guddu Yadav S/O Shri Vidya Yadav Resident of Village -Nawada, P.S-
Jadopur, Dist.- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Adesh Raj Singh, Advocate

For the Opposite Party/s : Mr. Amitesh Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 04-12-2024 Heard Ld. counsel for the petitioner and Ld. APP for
the State.

2. The present petition has been filed on behalf of the petitioner, apprehending his arrest, in connection with Kateya P.S. Case No. 166 of 2020, dated 01.06.2020, registered for the offences punishable under Sections 399, 402, 411, 412 and 414 of the Indian Penal Code and Section 25(1-b)a, 26 and 35 of the Arms Act.

3. As per the allegation, the police got information that some miscreants are planning to commit serious offence and they are assembled at Panchdeori Post. On raid, the police arrested Mintu Chauhan and Chhabila Chauhan and some other miscreants were successful to escape. As per the statement of the arrested accused persons, the petitioner and other accused



persons were also present in that meeting.

4. Ld. counsel for the petitioner submits that the Petitioner is innocent and has falsely been implicated in this case. He further submits that the petitioner has nothing to do with the alleged offence. He was neither present on the place of occurrence, nor was anything recovered from his possession. The case is based only on suspicion.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the petition that the petitioner has been made accused in two other cases.

7. However, Ld. APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition 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. Judicial Magistrate-Ist Class, Gopalganj, in connection with Kateya P.S. Case No. 166 of 2020, 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 criminal antecedents other than the disclosed one, Ld. court below shall cancel the bail bonds 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 bonds of the petitioner.

(Jitendra Kumar, J)

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