

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.84478 of 2023

Arising Out of PS. Case No.-641 Year-2023 Thana- PIRBAHOR District- Patna

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Guddu Kumar @ Sweety Son of Dilip Mahto, R/o Rampur Tawowan Colony,
P.S.- Bahadurpur, Dist.- Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Saroj Kumar Choudhary, Advocate.

For the Opposite Party/s : Mr. Dr. Mrityunjaya Kr. Gautam, APP.

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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA

ORAL ORDER

2 19-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks regular bail in connection with
Special Case No.89 of 2023 arising out of PIRBAHOR P.S. Case
No.641 of 2023, registered for the offences punishable under
Sections 147, 148, 149, 307 of the Indian Penal Code, Section
27 of the Arms Act and Section 37 of the Bihar Prohibition and
Excise Act.

3. As per the prosecution case, the allegation against
the petitioner alongwith other co-accused persons is that they
fired upon the informant due to which informant sustained gun
shot injury on his thigh.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in this
case. He further submits that there is no specific allegation of
firing against the petitioner rather the same is general and
omnibus allegation. He also submits that nothing incriminating



has been recovered from the conscious possession of the petitioner and with the help of well wishers both the parties has entered into compromise and a petition to this effect has already been filed in learned Court below. Learned counsel submits that petitioner is in custody since 04.09.2023. He further submits that similarly situated co-accused persons have already been granted bail by the Co-ordinate Bench of this Court vide orders dated 08.11.2023 & 08.01.2024 passed in Cr. Misc. No.72057 of 2023 and Cr. Misc. No.84513 of 2023 respectively.

5. Learned APP for the State has opposed the prayer for regular bail of the petitioner.

6. Considering the facts and circumstances of the case and the submissions of learned counsel for the parties, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Judge-II, Patna in connection with Special Case No.89 of 2023 arising out of Pirbahor P.S. Case No.641 of 2023.

(Sunil Dutta Mishra, J)

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