

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88620 of 2024

Arising Out of PS. Case No.-277 Year-2024 Thana- LAURIA District- West Champaran

Sheikh Guddu @ Md. Guddu @ Guddu S/O Aslam Miyan @ Sheikh Alam
R/O Vill.-Shivganj, Ward No.- 6, P.S- Shikarpur, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Pramod Kumar Pandey, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 20-12-2024 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in connection with Lauriya P.S. Case No. 277 of 2024, instituted for the offences punishable under Section 309(4) of the Bharatiya Nyaya Sanhita, 2023.

3. The prosecution case, in short, is that, when the informant was going with his goods, he was accosted with four unknown miscreants who have looted his 42 bags of *Pan Masala* which was loaded in the truck.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Charge-sheet has been submitted in this case. No



incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner also submits that the petitioner is not named in the FIR. Name of the petitioner has transpired in this case on the basis of confessional statement made by co-accused, namely, Abdul Rahman and the same has got no evidentiary value. Neither any recovery of any looted article has been made from the possession of the petitioner nor any T.I. parade has been conducted in this case. The petitioner is in custody since 02.09.2024 and has got two criminal antecedents in which he is on bail. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted regular bail by this Court vide order dated 18.11.2024 passed in Cr. Misc. No. 79886 of 2024.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, taking into account the period of custody undergone by the petitioner and claim based on parity, 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/- (Rupees Ten Thousand) with two



sureties of the like amount each to the satisfaction of Court
below/concerned Court in connection with Lauriya P.S. Case
No. 277 of 2024.

(Rudra Prakash Mishra, J)

Rajorshi/-

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