

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86104 of 2023

Arising Out of PS. Case No.-342 Year-2020 Thana- DALSINGHSARAI District- Samastipur

Guddu Kumar Ray Alias Guddu Rai Alias Guddu Kumar son of Late Kailu Ray @ Kallu Ray Resident of village dhepura ward No 15 Ps Dalsinghsarai District Samastipur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shanti Bhushan Singh

For the Opposite Party/s : Mr. Satyendra Prasad

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 10-04-2024 Heard learned counsel for the petitioner and learned A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with S.T. No. 564 of 2022 arising out of Dalsinghsarai P.S. Case No. 342 of 2020, registered for the offences u/ss 341, 323, 324, 307, 302, 452/34 of the Indian Penal Code and 27 of the Arms Act.

3. As per the prosecution case, the petitioner and other unknown miscreants are alleged to have entered the house of the informant and assaulted the informant and her family members with the butt of the pistol. One accused person fired on Khusboo Kumari causing injury in her stomach. The husband of the Puja Kumari was also assaulted by the accused persons with the butt



of pistol causing injury. Thereafter, all the injured persons were taken to hospital for treatment and the informant's mother died during the course of the treatment.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is not named in the FIR. The name of the petitioner has sprung up in the confessional statement of the co-accused Tarik ishtiyak @ Major. The petitioner has got one more criminal case as stated in para 3 of the bail petition. The petitioner is in custody since 27.01.2022. Similarly situated co-accused person has been granted regular bail by this Court vide order dated 21.07.2023 passed in Cr. Misc. No. 43167 of 2023.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on regular bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Dalsingsarai, Samastipur in connection with S.T. No. 564 of 2022 arising out of Dalsinghsarai P.S. Case No. 342 of 2020, with the condition/s:-



(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

Ranjeet/-

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