

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10465 of 2025

Arising Out of PS. Case No.-385 Year-2024 Thana- MADHAURAH District- Saran

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Guddu Yadav @ Guddu Rai @ Guddu Kumar S/O Late Bhagirath Rai R/O
Vill.- Silhauri, P.S.- Marhowrah, Dist.- Saran.

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dewendra Narayan Singh, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

3 22-03-2025

1. Heard learned counsel for the parties.

2. The petitioner in this application prays for grant of anticipatory bail apprehending his arrest in connection with Marhowrah P.S. Case no.385 of 2024 registered for the offence punishable under sections 317(4), 317(5), 338, 336(3), 340(2), 318(4), 61(2) and 3(5) of the Bhartiya Nyaya Sanhita.

3. As per the prosecution case, on information having been received about the accused persons being involved in sale of two motorcycles with the same registration number, it is stated that a raid was conducted. While the other accused managed to escape, one Rahul Kumar was arrested. It is stated that on enquiry he disclosed that while one of the motorcycles belonged to him, the other motorcycle was a stolen vehicle which he received from the three accused who had managed to escape.



4. Learned counsel for the petitioner submits that from the contents of the FIR it would evident that neither the petitioner was arrested at the spot nor any incriminating article has been recovered from his possession. The only material against him is the statement of the coaccused made before the police. The cause of false implication is his one antecedent. The petitioner undertakes to cooperate in the investigation/trial.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegation in the F.I.R., the material that has transpired against the petitioner as is evident from the content of the petition and no incriminating article having been recovered from the petitioner's possession, it is directed that the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Marhowrah P.S. Case no.385 of 2024 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Saran at Chapra.

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(Partha Sarthy, J)

