

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 33515 of 2025

Arising Out of PS. Case No.-86 Year-2024 Thana- MINAPUR District- Muzaffarpur

Guddu Kumar S/o Pramod Rai R/o Village- Hussepur Pachrukhiya, P.S.-
Sahebganj, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yugal Kishore, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 16-05-2025 Heard Mr. Yugul Kishore, learned counsel for the

petitioner and Mr. Pramod Kumar Pandey, learned A.P.P. for the

State.

2. The petitioner seeks bail, who is in custody since
24.12.2024, in connection with Minapur P.S. Case No. 86, 2024,
FIR dated 10.03.2024 registered for the offence under Sections
379, 414 and 34 of the Indian Penal Code and Sections 25(1-B)
(a), 35 and 26 of the Arms Act.

3. As per the prosecution case, the petitioner who was
absconded and other co-accused persons were apprehended by
police for theft of diesel from trucks and from the possession of
one co-accused person, namely, Vikash Kumar @ Pakauriya 20
litres of diesel and one loaded country made pistol have been
recovered.

4. Learned counsel appearing for the petitioner



submits that the petitioner is in custody since 24.12.2024 and he has falsely been implicated in this case. He further submits that the name of the petitioner has been transpired on the basis of disclosure made by the co-accused persons, namely, Vikash Kumar and Prabhat Kumar and the alleged recovery has been made from the possession of the co-accused persons and the petitioner has no concerned with the alleged recovery of the diesel or the arms in question and no arms have been recovered from the conscious possession of the petitioner, so no case is made out under the Arms Act against this petitioner. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioner. The petitioner is rotting in judicial custody since 24.12.2024.

5. Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner and submits that the name of the petitioner has been transpired during investigation and apart from that the petitioner carries two cases other than the present one but fairly submits that the petitioner is on bail in the pending matters.

6. Considering the facts and circumstances, the name of the petitioner has been transpired on the basis of disclosure made by the co-accused persons as well as period of custody, let the petitioner, above named, be released on bail on furnishing bail



bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-I, East Muzzaffarpur in connection with Minapur P.S. Case No. 86 2024, subject to the following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Jyoti Kumari/-

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