

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33281 of 2025

Arising Out of PS. Case No.-299 Year-2023 Thana- KUMAR KHAND District- Madhepura

Guddu Kumar S/o Shailendra Mahto, R/o Vill- Gongarahi, Ward No. 4, P.S.-
Kumarkhand (Belari O.P), Distt- Madhepura.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Uday Chand Prasad, Advocate

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

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH

ORAL ORDER

2 26-05-2025 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner seeks regular bail in connection with STR No. 175 of 2024, arising out of Kumarkhand P.S. Case No. 299 of 2023 dated 19.07.2023 instituted for the offences punishable under Sections 365, 384, 307, 504 and 506 read with Section 34 of the Indian Penal Code.

3. As per the prosecution story, the petitioner and other co-accused persons are alleged to have kidnapped the son of informant and confined him in the house of one Shailendra Mahto and they also took Rs. 10,000/- cash and bangles worth of Rs. 20,000/- from him. It is further alleged that the petitioner along with other co-accused persons assaulted the informant's son and his associates and also demanded Rs. 40,000/- as



ransom.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case. The petitioner has not committed any offence, rather the allegation levelled in the FIR is false and fabricated and the petitioner has not committed any such offence. Petitioner was neither arrested from the spot nor any incriminating article was recovered from his possession. There is no eyewitness to the alleged occurrence and no independent witnesses have claimed to see the occurrence. In fact, at the instance of enemies of petitioner and due to village politics the petitioner has falsely been implicated in this case. No any incriminating article has been recovered either from the house or from the conscious possession of the petitioner. Petitioner is in custody since 21.12.2024 and no TIP has been conducted by the prosecution as yet. Petitioner claims clean antecedent as mentioned in paragraph no. 3 of the bail petition. He lastly submits that after completion of investigation, chargesheet has been submitted against the petitioner.

5. Learned A.P.P. appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner.

6. Having regard to the submissions made by the



learned counsel for the parties and considering the facts and circumstances of the case as well as petitioner's period under custody, this Court is inclined to enlarge the petitioner on bail **after framing of charge, if not framed as yet**. Accordingly, 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 Additional Sessions Judge-IX, Madhepura, in connection with **Kumarkhand P.S. Case No. 299 of 2023**, on further conditions:

(i) One of the bailors should be close relative of the petitioner.

(ii) Petitioner shall cooperate in the trial and shall be present on each and every fixed date and on his absence on two consecutive dates without sufficient reason, his bail bond may be cancelled by the learned trial Court.

(S. B. Pd. Singh, J)

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