

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41730 of 2025

Arising Out of PS. Case No.-237 Year-2024 Thana- BUNIYAD GANJ District- Gaya

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Guddu Kumar @ Satyam Kumar @ Sateyam Kumar, S/o Birendra Yadav @
Virendra Yadav, Resident of Village- Balnu Bigha, P.S.- Makhdumpur,
District- Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Adv.

For the Opposite Party/s : Mr. Suresh Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 11-07-2025 Heard Mr. Sanjeev Kumar, learned counsel for the

petitioner and Mr. Suresh Prasad Singh, learned APP for the

State.

2. Petitioner seeks regular bail in connection with

Buniyadganj P.S. Case No. 237 of 2024 dated 02.10.2024

registered for the offences punishable under sections 310(2),

311, 109 of the Bharatiya Nyaya Sanhita and section 27 of the

Arms Act.

3. The main submissions advanced by petitioner's

counsel are that though the instant matter relates to serious

offence of dacoity committed at Micro Finance Bank running on

the ground floor of the informant's building and as per the

allegation, 6 to 7 unidentified armed assailants were seen in the



commission of the alleged offences and the informant claimed to be able to identify the accused persons on seeing them but despite that, the petitioner has not been put on Test Identification Parade before the informant and other injured persons till date and against him, the investigation has been completed. Learned counsel further submits that the investigating officer examined the CCTV footage of the camera installed at the place of occurrence and only 2 persons were seen in the said footage and the petitioner was not seen. It is further submitted that during the course of investigation the name of this petitioner came into light in the confessional statements of co-accused Vikash Kumar and Banti Yadav @ Banti Kumar recorded by them before the police, which have no evidentiary value, except this, there is no material to connect the petitioner in the alleged crime of dacoity and in this regard, the order impugned may also be perused, in which all the relevant materials have been discussed. It is lastly submitted that the petitioner has fair and clean antecedent and has been languishing in jail since 20.03.2025 and two co-accused persons, namely, Akash Kumar and Vikash Kumar have been granted bail by a co-ordinate Bench of this Court vide order dated 09.05.2025 passed in Cr. Misc. Nos. 10290/2025 and



10738/2025 respectively and the name of this petitioner surfaced in the confessional statement of Vikash Kumar, so, his prayer stands on better footing from him.

4. Though learned APP for the State has opposed the prayer of the petitioner but fairly accepts that as per the order impugned, except the confessional statements of aforesaid two co-accused persons, there is nothing material against this petitioner and if the petitioner's prayer is considered then he should be released after framing of charge.

5. Considering the aforesaid submissions and mainly taking into account the petitioner's fair and clean antecedent, completion of investigation against him and his pleas that he was not put on Test Identification Parade after he was taken into custody and secondly, in respect of petitioner's involvement in the alleged crime the prosecution is mainly relying upon the confessional statement of aforesaid two co-accused persons given before the police and the said pleas have not been rebutted by learned APP, in my opinion, it is a fit case for bail to the petitioner. Accordingly, let the petitioner named-above be released on bail on furnishing bail bond of Rs.20,000/-(Twenty Thousand) with two sureties of the like amount each to the satisfaction of the court concerned in connection with



Buniyadganj P.S. Case No. 237 of 2024, further on the condition
that the petitioner shall be released after framing of charge, if
the same has not been framed.

(Shailendra Singh, J)

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