

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47801 of 2024

Arising Out of PS. Case No.-106 Year-2024 Thana- KOILWAR District- Bhojpur

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GUDDU KUMAR @ GUDDU RAI SON OF LATE ASHOK RAI @
BHIKHARI RAI Village- Pachrukhiya Kala, Rajapur, P.S.- Koilawar,
District- Bhojpur at Ara

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manoj Kumar, Advocate

For the Opposite Party/s : Mr.Bharat Bhushan, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

5 29-01-2025 Heard learned counsel for the petitioner as well as
learned APP for the State.

2. The petitioner seeks bail in anticipation of his arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 307, 506 of the IPC and Section 27 of the Arms Act in connection with Koilwar P.S. Case No.106 of 2024.

3. The learned counsel appearing on behalf of the petitioner submits that Raj Kishore Rai had approached this Court seeking anticipatory bail by filing Cr. Misc. No.57505 of 2024 and the same was allowed by an order dated 01.10.2024. It is also submitted that Raj Kishore Rai also had two antecedents and the case of the petitioner if not akin is similar to Raj Kishore Rai, as such based on parity seeks anticipatory bail.



4. The learned APP vehemently opposes the anticipatory bail application of the petitioner and submits that from perusal of the order dated 01.10.2024 in Cr. Misc. No.57505 of 2024, it would manifest that Raj Kishor Rai came to be implicated in two cases after the instant FIR was instituted, but then from perusal of para-3 of the instant anticipatory bail application it would manifest that petitioner has six antecedents, on which the learned counsel appearing on behalf of the petitioner submits that no doubt petitioner has antecedent of six cases, but then most of the cases were instituted with respect to offences under Bihar Minor Mineral Concession Rules.

5. It is next submitted that in the instant case also all the sections are bailable except section 307 of the IPC. It is next submitted that no doubt case has been instituted under Section 27 of the Arms Act also but then no one was injured.

6. The learned APP submits that in the event if the privilege of anticipatory bail is granted to the petitioner, petitioner may abscond, on which the learned counsel appearing on behalf of the petitioner submits that petitioner will not abscond rather will cooperate in the investigation to prove his innocence.

7. Considering the submissions made by the learned



counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.50,000/- (Rupees Fifty Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhojpur at Ara in connection with Koilwar P.S. Case No.106 of 2024, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

8. However, it is made clear that in the event if the Investigating Officer of the case files an application before the learned trial court bringing to its notice that petitioner despite giving assurance to this Court is not cooperating in the investigation, in that event, the learned trial court shall be at liberty to cancel the bail bond of the petitioner.

9. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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