

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90845 of 2025

Arising Out of PS. Case No.-177 Year-2025 Thana- MADHEPURA District- Madhepura

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Guddu Kumar @ Guddu Kumar Sharma Son of Umesh Sharma Resident of
village- Dhurgaon, Ward no. 09, Ps- Madhepura (Bharrahi OP), Dist-
Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar Sinha, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 13-01-2026 Heard Mr. Binod Kumar Sinha, learned counsel for

the petitioner as well as Mr. Abhay Kumar Roy, learned

Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
31.03.2025 in connection with Madhepura (Bharrahi O.P.) P.S.
Case No. 177 of 2025, F.I.R. dated 08.02.2025 for the offences
punishable under Sections 103(1), 61, 3(5) of the Bharatiya
Nyay Sanhita, 2023.

3. According to prosecution case, the informant
alleged that on information that the petitioner was beating his
daughter, went to the petitioner's house to pacify the matter,
there the petitioner and other co-accused persons assaulted him
by means of lathi, danda and dabiya.



4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. Although the petitioner is named in the FIR but from bare perusal of the FIR it appears that there is no specific allegation of assault or overt act against him rather the allegation against all the accused persons including the petitioner is general and omnibus in nature and police after investigation submitted charge-sheet. The petitioner is in custody since 31.03.2025.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner participated in the present crime in question.

6. Considering the aforesaid facts and circumstances, there is no specific allegation against the petitioner and the petitioner has clean antecedent 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 Chief Judicial Magistrate, Madhepura in connection with Madhepura (Bharrahi O.P.) P.S. Case No. 177 of 2025, 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)

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