

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47716 of 2023

Arising Out of PS. Case No.-86 Year-2023 Thana- UDAKISHUNGANJ District- Madhepura

Guddu Mehta @ Guddu Kumar Son Of Manik Lal Mehta @ Maniklal Mehta
Resident Of Village- Sukhashani, Ward No. 12, Ps- Udakishunganj, Dist-
Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 23-08-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail, who is in custody since
27.03.2023 in connection with Uda-Kishunganj P.S. Case No.
86 of 2023, F.I.R. dated 26.03.2023 for the offences punishable
under Sections 307/34 of the Indian Penal Code and Section 27
of the Arms Act.

3. As per written report of the informant Rupam
Kumari, allegation against the petitioner is that with intention to
kill he fired bullet on the head of the husband of informant
Rupam Kumari, namely, Chandan Kumar when he had gone to
sprinkle medicine on the mango-tree on 23.03.2023 at 05:00
hours in the evening.



4. Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and petitioner has not committed any offence as alleged in the F.I.R. and the date of occurrence as alleged in the F.I.R. is 23.03.2023 but the present F.I.R. has been instituted on 26.03.2023 after delay of three days without any explanation of delay and in the F.I.R. no motive has been assigned by the informant.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner and submits that there is direct and specific allegation against the petitioner and the statement of the victim was recorded in para 26 of the case diary clearly stated that the petitioner has fired upon him. He further submits that the uncle of the petitioner has demanded rangdari of Rs.5,00,000/- and the husband of the informant has not paid the same so the petitioner has fired upon the victim and the injury report also suggest the the injury is grievous in nature cause by the firm arm injury. He further submits that petitioner carries one criminal antecedent other than the present one, in which he is on bail.

6. Considering the aforesaid facts, I am not inclined to



enlarge the petitioner on bail in connection with S.T. No.359 of 2023, arising out of Uda-Kishunganj P.S. Case No.86 of 2023 pending in the court of learned A.D.J.-I, Madhepura.

5. Prayer is refused.

(Rajesh Kumar Verma, J)

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