

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58037 of 2024

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

Guddu Mehta @ Guddu Kumar @ Guddu Kr. Mehta S/o Manik Lal Mehta @
Maniklal Mehta R/o Sukkhashani, (Sukhasani) ward no. 12, P.S.-
Udakishunganj, District-Madhepura.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Ramchandra Sahni, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 20-09-2024 Heard Mr. Pawan Kumar, the learned counsel for the

petitioner and Mr. Ramchandra Sahni, the learned Additional

Public Prosecutor for the State.

2. Petitioner seeks regular bail who is in custody
since 27.03.2023, in connection with S.T. No. 285 of 2023
arising out of Udakishunganj P.S. Case No. 86 of 2023, FIR
dated 26.03.2023, registered for the offences punishable under
Sections 307 and 34 of the Indian Penal Code.

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. Earlier prayer for bail of the petitioner was rejected vide order dated 23.08.2023 passed in Cr. Misc. No. 47716 of 2023.

5. Learned counsel for the petitioner submits that although there is specific allegation against this petitioner in the FIR but on perusal of the same, it appears that the FIR has been lodged after delay of three days without giving any details and therefore, it appears from the FIR that the informant has not assigned any motive in the FIR.

6. The learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner and submits that a bare perusal of the FIR, it appears that there is direct allegation against this petitioner and apart from that the statement of the victim was recorded in paragraph 26 of the case diary clearly stated that the petitioner has fired upon him.

7. Vide order dated 09.08.2024, a report was called for from the concerned court with regard to the stage of the trial.

8. Vide report dated 23.08.2024, it reveals that the trial is going on and out of nine charge sheet witnesses, six witness have already been examined and the case is pending on



account of three fresh prosecution witnesses.

9. Considering the aforesaid facts, report of the trial Court and the allegation as alleged in the FIR, I am not inclined to grant him privilege of bail which is accordingly rejected.

(Rajesh Kumar Verma, J)

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