

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68579 of 2024

Arising Out of PS. Case No.-46 Year-2024 Thana- SARMERA District- Nalanda

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Guddu Singh Son of Late Virendra Singh R/O Vill.- Dhnawandih, P.S.-
Sarmera, Dist.- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Prashant Kashyap, Advocate
For the Informant	:	Ms. Swati Parmar, Advocate
For the State	:	Mr. Ram Naresh Ray, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 20-11-2024 Heard Mr. Prashant Kashyap, learned counsel for the

Petitioner, Ms. Swati Parmar, learned counsel for the Informant
and Mr. Ram Naresh Ray, learned APP for the State.

2. Petitioner seeks regular bail in connection with
Sarmera P.S. Case No. 46 of 2024 dated 07.03.2024 registered for
the offences punishable under Section 302 of the Indian Penal
Code and Section 27 of the Arms Act.

3. As per prosecution story, Mintu Devi (informant)
stated that on 06.03.2024 when she had gone with her daughter,
Karina Kumari (deceased), to attend the wedding of her cousin's
daughter and as they were watching the wedding procession from
the terrace, the accused Guddu Singh (petitioner) came and started
firing with a pistol and aimed specifically at the victim and shot at
her. The bullet hit the victim's left temporal region and she was
injured. Thereafter, she was taken to the hospital for treatment



where she was declared dead.

4. The main submissions advanced by learned counsel for the petitioner are that the allegations levelled against this petitioner in the FIR are totally improbable and unbelievable, in fact, admittedly, there was a marriage ceremony in the village of the petitioner and it is also an admitted fact that at the time of *Dwar Pooja*, the deceased was on the roof and watching the marriage ceremony by leaning down from the roof and then suddenly she sustained a gun shot injury which was in actual a result of celebratory firing made by the members of groom's side but as there was land dispute between the petitioner and the victim's family, so a false story was fabricated to concoct a false case against this petitioner.

5. On the other hand, learned counsel appearing for the informant has vehemently opposed the bail prayer of the petitioner and submitted that the petitioner did not have good relation with the deceased and he was against her education and residing at Bihar Sharif and also he was annoyed on account of a rumor of her marriage with someone belonging to other caste, due to this reason, the petitioner targeted the victim when she was watching the marriage function from the roof and there was motive on the part of the petitioner to commit the alleged occurrence of murder and there is direct allegation against him and he fired at the victim



resulting in her death.

6. Learned APP for the State has also opposed the prayer for bail of the petitioner.

7. Having considered the seriousness of the allegation appearing against this petitioner, though he has taken the defence that the deceased sustained firearm injury in course of celebratory firing but in the case diary there is no material to support the said defence of the petitioner rather the statements of the witnesses show that there was tense relation between the petitioner and the deceased and the material witnesses whose statements are mentioned in paragraph no. 8, 9 and 10 of the case diary claimed themselves to be eye-witnesses of the alleged occurrence and according to them, it was the petitioner who firstly pointed the gun towards the victim and then opened fire and caused firearm injury to the deceased resulting in her death, in my opinion, it is not a fit case for bail to the petitioner, accordingly, his prayer for bail stands rejected.

8. The petitioner may renew his bail prayer after the framing of charge before the trial court which will be decided according to merit.

(Shailendra Singh, J)

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