

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.83045 of 2024**

Arising Out of PS. Case No.-77 Year-2024 Thana- CHANAN District- Lakhisarai

Guddu Chaudhary, Son of Sri Kailu Chaudhary, Resident of village - Itaun,  
P.S.- Chanan, District - Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Udbhav, Advocate

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

**CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH**  
**ORAL ORDER**

2      04-12-2024                      1.    Heard    Mr. Udbhav, learned counsel for the  
  
petitioner and Mr. Bhanu Pratap Singh, learned APP for the  
  
State.

2.    The petitioner seeks regular bail in connection  
with Chanan P.S. Case No. 77 of 2024 dated 29.07.2024  
registered for the offence(s) punishable under Section 126,  
115(2), 352 and 103 of the Bhartiya Nyaya Sanhita, 2023.

3.    As per the prosecution story, informant  
(Baleshwar Rai) lodged his written report that on 28.07.2024 at  
8:00 A.M. some altercation took place between his son and the  
petitioner (Guddu Chaudhary) and later on his son went outside  
towards agricultural field at about 4:00 P.M., and about 7:00  
P.M, some villagers stated that the dead body of the informant's  
son is lying in the field then the informant went to that place and



found the dead body of his son. He stated that the possibility was that the petitioner along with some unknown persons had assaulted his son and due to that his son has succumbed to injury.

4. The main submissions advanced by learned counsel for the petitioner are that though the petitioner is named in the FIR but the informant simply raised suspicion against him as being involved in the murder of informant's son and there is no eye-witness of the alleged occurrence and the dead body of the deceased was found on 28.07.2024 and on the same day, the inquest report was prepared at 23:44 hours and till that time, no FIR was registered and on the inquest report, the informant made his signature which shows that he was aware of the unnatural death of his son and even then he remained silent for about 21 hours and finally lodged the FIR, afterthought making the petitioner an accused mainly on the basis of suspicion. It is further submitted that against the petitioner, there is no criminal antecedent and he has been languishing in jail since 31.07.2024 and against him, the investigation has been completed and he was arrested from his own house and the medical board did not give final opinion with regard to the cause of death of the deceased, so, they preserved the Viscera of the deceased and



sent the same to the F.S.L. for getting scientific opinion regarding the cause of death.

5. Learned APP for the State has opposed the bail prayer of the petitioner and submitted that there is no delay in lodging of the FIR and only 24 hours took place in lodging the FIR on the part of the informant and there is sufficient circumstances to justify the said delay and further as per the FIR on 28.07.2024, the informant's son (victim) was assaulted by this petitioner and later on, on the same day at late night, the victim's dead body was found.

6. Heard both the sides and perused the FIR and the order impugned. Though, in this matter there is no eye-witness of the alleged occurrence and informant's allegation is based on suspicion but however, as per the FIR the informant had a strong reason to raise the suspicion against this petitioner, in my opinion, it is not a fit case for bail to the petitioner at this stage. Accordingly, his prayer stands rejected.

**(Shailendra Singh, J)**

Rajiv/-

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