

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16752 of 2025

Arising Out of PS. Case No.-712 Year-2024 Thana- GARKHA District- Saran

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Guddu Kumar, aged about 19 years (Male), S/O Late Raj Kumar Chaudhary,
R/O Village - Kuldeep Nagar, 44, No. Dhala, P.S- Chapara Muffasil, Dist.-
Saran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Mirityunjay Kumar, Advocate
For the Opposite Party : Mrs. Sharda Kumari, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

5 28-07-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Garkha
P.S. Case No. 712 of 2024 dated 16.11.2024 registered for the
offences punishable under Section 103(1) read with Section 3(5)
of the B.N.S., 2023.

3. As per the prosecution case, on 15.11.2024 at about
10.30 P.M. Guddu Kumar (petitioner), Anup Kumar and Anand
Kumar took the son of the informant, namely, Raja Kumar, and
shot him dead.

4. Learned counsel for the petitioner has submitted that



the petitioner is innocent and has falsely been implicated in the present case. It is further submitted that there is general and omnibus allegation against the petitioner. It is further submitted that the Investigating Officer in paragraph nos. 6, 7 and 8 of the case diary has examined the mother, sister and brother of the deceased but none of them have stated to see the alleged occurrence because they were not present at the place of occurrence. It is further submitted that as a matter of fact the deceased was a veteran criminal of Chapra Jurisdiction Area and there were twelve cases pending against him and in five cases he was declared absconder and two cases are pending in the jurisdiction of Siwan Town for committing murder and loot. The petitioner has no concern with the deceased Raja Sharma or any other co-accused persons. It is further submitted that some unknown persons would have killed the deceased Raja Sharma with country made pistol because he had inimical terms with several persons. The charge sheet has already been submitted against the petitioner and two other co-accused persons, namely, Anup Kumar and Anand Kumar. No incriminating article has been recovered from the possession of the petitioner. The petitioner has no concern with the alleged offence. The informant is not an eye witness to the alleged offence. The



petitioner has one criminal antecedent in which he is on bail as stated in paragraph no. 3 of the bail petition. The petitioner is in custody in this case since 18.11.2024.

5. Learned A.P.P. for the State has vehemently opposed the prayer for bail petition of the petitioner and has submitted that the petitioner is named in the F.I.R. Learned A.P.P. for the State has further submitted that the petitioner alongwith other co-accused persons committed murder of the informant's son. The mother, sister and brother of the deceased whose statements have been recorded in paragraph nos. 6, 7 and 8 of the case diary and they have fully supported the prosecution case. The doctor has conducted postmortem of the deceased which is in paragraph no. 51 of the case diary and the doctor has opined the cause of death- 'Haemorrhagic shock caused by above mentioned injury.'

6. Considering the aforesaid facts and circumstances of the case as well as the accusation against the petitioner, this Court is not inclined to grant bail to the petitioner and the same is rejected in connection with Garkha P.S. Case No. 712 of 2024, pending in the court of learned Ist Class, Judicial Magistrate, Saran at Chapra.

7. The application stands rejected.



8. The learned trial court is directed to expedite the trial of the petitioner and conclude the same at the earliest.

(Chandra Prakash Singh, J)

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