

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19302 of 2025

Arising Out of PS. Case No.-424 Year-2024 Thana- PARAIYA District- Gaya

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Guddu Yadav @ Guddu Kumar S/O Late Feku Yadav Village - Bagahi Tola,
P.s.- Paraiya, District -Gaya. Petitioner/s

Versus

The State of Bihar. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Durgesh Nandan, Advocate

For the Opposite Party/s : Mr. Anish Chandra, APP

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 26-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in a case registered for the offence punishable under Sections 115 (1), 126 (2), 109, 303 (2), 74, 117 (2), 352, 351 (2) and 3 (5) of the Bharatiya Nyaya Sanhita, 2023.

3. The prosecution case, in brief, is that the petitioner in association of other co-accused, being variously armed, is said to have come and assaulted the informant and his family members.

4. It is submitted by learned counsel for the petitioner that it would be apparent from the first information report itself that there has been inordinate delay of ten days in lodging the F.I.R. inasmuch as the date of occurrence is 01.11.2024, whereas the fardbeyan was recorded on 10.11.2024



and the formal F.I.R. was registered on 24.11.2024. No plausible explanation or cogent reason has been assigned in causing the delay in recording the fardbeyan or lodging the F.I.R. The allegation levelled in the F.I.R. against the petitioner is not specific rather general and omnibus in nature. Learned counsel for the petitioner has also invited the attention of the Court towards Annexures-2 and 3 from which it would be evident that the present informant was made accused in the case lodged by the present petitioner for the murder of his father and the postmortem report of his father has also been annexed as Annexure-3 to the present petition. It is further submitted that the petitioner's case was lodged on 02.11.2024 and only to counter the same the present case has been lodged after much delay of ten days on 10.11.2024. So far as injury report is concerned, which is available in the case diary, there is one injury on the forearm and the same is not on the vital part of the body. The petitioner has been languishing in custody since 08.12.2024.

5. Learned APP for the State opposed the bail petition.

6. Taking into consideration the facts and circumstances of the case, the above named petitioner is



directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Paraiya P.S. Case No.424 of 2024, subject to the following conditions :

(i) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.

(ii) The petitioner shall remain physically present in court on each and every date during trial till the framing of charge and in the event of failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(Soni Shrivastava, J)

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