

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 23825 of 2025

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

Guddu Chaudhary, son of Kailu Chaudhary, R/o village- Itaun, P.S.- Chanan,
Dist- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. S.K. Lal, Sr. Adv. Mr. Umesh Prasad, Adv.
For the State	:	Mr. Binod Kumar No. 3, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 27-06-2025 Heard Mr. S.K. Lal, learned senior counsel for the

petitioner and Mr. Binod Kumar No. 3, learned APP for the

State.

2. Petitioner seeks regular bail in connection with S.T.

No. 299 of 2024 arising out of Chanan P.S. Case No. 77 of 2024

dated 29.07.2024 registered for the offences punishable under

sections 126, 115(2), 352 and 103 of the Bharatiya Nyaya

Sanhita.

3. The main submissions advanced by learned senior

counsel for the petitioner are that this is the second attempt of

the petitioner to get the relief of regular bail and the petitioner's

first prayer for the same relief was rejected by this Court vide

order dated 04.12.2024 passed in Cr. Misc. No. 83045 of 2024

considering the stage of his case at that time and now, the two



new circumstances entitling the petitioner to get the relief of bail have arisen, first is the beginning of petitioner's trial and second is the examination of one material prosecution witness, who is the father of the deceased and he has not deposed anything showing the petitioner's involvement in the alleged crime and the case of the prosecution is based on suspicion raised against the petitioner and except this, there is no material to show the petitioner's involvement in the alleged crime. Learned counsel further submits that the petitioner, who has fair and clean antecedent, has been languishing in jail since 31.07.2024 and out of seven prosecution witnesses, only one prosecution witness has been examined till now, which shows that there may be delay in the conclusion of the petitioner's trial.

4. Learned APP for the State has opposed the prayer of the petitioner and submits that the petitioner's trial has started and there is no delay in the examination of prosecution witnesses as just a few days after the framing of charge i.e. on 08.04.2025, one prosecution witness has turned up and he has been examined on 30.04.2025.

5. Heard both the sides and perused the relevant materials. Though the instant matter relates to the offence of murder but considering the petitioner's custody period as well as



the aforesaid new two circumstances having arisen, which show the beginning of the petitioner’s trial and the examination of one prosecution witness, who has not alleged the petitioner’s direct involvement in the alleged crime of murder as stated above and also taking into account, the petitioner’s fair and clean antecedent, this Court is now inclined to grant the relief of bail to the petitioner. Accordingly, let the petitioner named-above be released on bail on furnishing bail bond of Rs.20,000/-(Twenty Thousand) with two sureties of the like amount each to the satisfaction of the court concerned in connection with S.T. No. 299 of 2024 arising out of Chanan P.S. Case No. 77 of 2024.

(Shailendra Singh, J)

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