

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32655 of 2025

Arising Out of PS. Case No.-255 Year-2024 Thana- AURAI District- Muzaffarpur

Guddu Kumar @ Guddu Kumar Sahni son of Jogi Sahni Resident of Village
-Runisaidpur Sonpurwa, Ward No 10, PS -Runisaidpur District- Sitmarahi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Ranjan, Adv.
For the State : Mr. Sanjay Kumar Tiwary, APP
For the Informant : Mr. Shashank Shekhar, Adv.
Mr. Praveen Kumar, Adv.
Mr. Mukund Kumar, Adv.
Mr. Amar Nath Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

4 02-09-2025 Heard learned counsel for the petitioner and learned
APP for the State as well as learned counsel for the informant.

2. In the present case, the petitioner seeks bail in connection with Aurai P.S. Case No. 255 of 2024 registered on 05.12.2024 for the offences under Sections 103(1) and 238 of the BNS.

3. As per prosecution case, son of the informant was found murdered and his dead body was lying near roadside. The name of the petitioner transpired during investigation for being involved in the murder of the son of the informant.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Petitioner is not named in the FIR



and except for his confessional statement, no cogent material has come up against the petitioner showing his involvement. Nothing incriminating has been recovered from the person or possession of this petitioner and the recovery of mobile phone shown from petitioner, said to be of deceased, is incorrect as there is no material on record to show that the mobile phone without display belonged to the deceased. Other mobile phone which was also seized from the house of the petitioner, belongs to this petitioner. Learned counsel further submits that the police has tried to give a motive to the deceased that he was involved in teasing the sister of the petitioner. No substantive material has come up against the petitioner to show his involvement in the said occurrence. Cause of death is stated to be strangulation. Petitioner is a 19 years old boy having clean antecedent. Petitioner is in custody since 09.12.2024 and charge-sheet has been submitted.

5. Learned A.P.P. as well as learned counsel for the informant vehemently oppose the submission made on behalf of the petitioner. Learned counsel for the informant submits that the petitioner was found talking to the deceased and it is said that he called him out and killed him with the help of other co-accused persons. Learned counsel further submits that recovery



of a mobile phone with broken display has been made from the house of the petitioner and the said mobile phone belongs to the deceased.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the lack of substantive material against the petitioner and also considering the period of custody of the petitioner along with his clean antecedent and submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Muzaffarpur/concerned court in connection with Aurai P.S. Case No. 255 of 2024, subject to the conditions mentioned in Section 480(3) of the B.N.S.S. and other following conditions:

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below.

(iii) In case of absence on three consecutive dates or in violation of the



terms of the bail, the bail bond of the
petitioner will be liable to be cancelled by
the court concerned.

(Arun Kumar Jha, J)

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