

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40543 of 2025

Arising Out of PS. Case No.-348 Year-2019 Thana- MINAPUR District- Muzaffarpur

Guddu Kumar Son of Bindeshwar Rai Resident of Village - Sharif Nagar,
P.S.- Tariyani, District - Sheohar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hari Kishore Thakur, Adv.

For the Opposite Party/s : Mr.Jagdhari Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 09-09-2025 Heard learned counsel for the petitioner and learned
APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with
Minapur P.S. Case No. 348 of 2019 instituted for the offences
under Sections 302 and 34 of the Indian Penal Code and
Section 27 of the Arms Act.

3. The prosecution case, as per the *fardbeyan* of Vijay
Kumar, recorded on 01.07.2019 at S.K.M.C.H., Muzaffarpur by
Vaneshwar Kisun, S.I. of Ahiyapur Police Station is to the effect
that three months prior to the lodging of the FIR, the informant
had received a phone call for extortion of Rs. 10 lacs from one
Rakesh Rai, who also gave life threatening to the informant. On
01.07.2019, the informant heard the sound of gunshot firing and



when the informant reached at the shop of Rajendra Saw then he saw all the four accused persons including the petitioner running away from the place of occurrence and the brother of the informant Ajay Ram was lying with gunshot injury, who suggested the name of all the four accused persons including the petitioner who caused him gunshot injury. Thereafter, the informant brought his brother to the hospital, where he was declared dead.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case due to dirty local politics. There is no specific or direct allegation of any overt act against the petitioner rather the same is general and omnibus in nature. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. He further submits that in course of investigation, nothing adverse has come against the petitioner. The petitioner has one criminal antecedent and is languishing in judicial custody since 13.03.2025 without any rhymes or reason. Charge-sheet has been submitted in this case.

5. Learned counsel for the petitioner again submits that the co-accused namely Dilip Rai @ Dilip Kumar and Maya



Shankar Rai have been granted anticipatory bail by a Co-ordinate Bench of this Court vide orders dated 29.06.2020 and 29.02.2020 passed in Cr. Misc. Nos. 82257 of 2019 and 4445 of 2020. Co-accused Ankit Kumar and Anwar Alam Khan have also been granted bail by a Co-ordinate Bench of this Court vide orders dated 28.05.2020 and 21.12.2020 passed in Cr. Misc. No. 5811 of 2020 and 33015 of 2020 respectively.

6. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner, stating that the offence alleged is serious in nature. There is a dying declaration of the deceased. The deceased has disclosed the names of all the four accused persons including the petitioner claiming that they have fired upon him. Charge-sheet has been submitted in this case. The co-accused Rakesh Rai and Rishi Raj have also confessed his guilt and have also taken the name of the petitioner of being involved in the alleged occurrence.

7. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner as also the prayer for bail being based on parity, let the petitioner, abovenamed, be released on bail on furnishing bail



bonds of Rs.15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Minapur P.S. Case No. 348 of 2019.

(Rudra Prakash Mishra, J)

rishi/-

U		T	
---	--	---	--

