

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79274 of 2024

Arising Out of PS. Case No.-124 Year-2024 Thana- BIHAR District- Nalanda

Guddu Singh S/O Late Jugal Kishor Singh R/O Village- Muraura, P.S- Bihar,
Distt.- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Akash Kumar Mishra, Adv
For the Opposite Party/s : Mr. Navin Kr. Pandey, APP
For the Informant : Mr. Jitendra Kr. Singh, Adv
: Mr. Aklavya Chandan Kumar, Adv

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 29-01-2025 Heard learned counsel appearing on behalf
of the petitioner and learned APP appearing on
behalf of the State.

2. The petitioner seeks bail in connection
with Bihar Sharif P.S. Case No. 124 of 2024
(Sessions Trial No. 531 of 2024) registered for the
offences under Sections 302/34 of the IPC and
Section 27 of the Arms Act.

3. The petitioner is named in the F.I.R. and
is in custody since 19.02.2024.

4. The allegation against the petitioner is



to commit murder of the husband of the informant alongwith other co-accused persons, where petitioner was alleged to be equipped with firearm.

5. Learned counsel appearing on behalf of the petitioner submitted that narration of FIR is based upon hearsay input as received by the informant. It is submitted that as per version of the informant the occurrence was witnessed by one Kundan Kumar, who was a business associate of her deceased husband, who informed that this petitioner alongwith other co-accused persons committed murder of the husband of the informant. It is pointed out that allegation to cause fatal assault is not exclusively available against this petitioner. While concluding the argument it is submitted that petitioner is a man of clean antecedent and he was implicated falsely due to land dispute and moreover, investigation of this case has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

6. Learned APP duly assisted by learned



counsel appearing on behalf of the informant, while opposing the prayer for bail submitted that during the course of investigation the statement of Kundan Kumar was recorded under Section 161 & 164 of the Cr.P.C., where he categorically stated that this petitioner fired bullet on the head of the deceased husband of the informant. It is submitted that aforesaid allegation appears fully corroborated with postmortem report of the deceased. It is further submitted that in view of specific allegation as to cause fatal firearm injury as supported by eye-witness of the occurrence during the course of investigation, this petitioner does not deserve bail. It is also submitted that the trial of this case commenced long back and out of fourteen charge-sheeted witnesses only seven charge-sheeted witnesses has been examined till date, making conclusion of trial a remote event.

7. In view of the facts and circumstances as mentioned above and by taking note of fact as one of the eye-witness of the occurrence namely Kundan Kumar categorically stated during the



investigation through his statement as recorded under Sections 161 & 164 of the Cr.P.C. that this petitioner opened fire upon the husband of the informant, which hit to his head causing his death and said firearm injury found fatal as per the postmortem report of the deceased, accordingly the prayer of regular bail of the petitioner stands rejected herewith.

8. Considering the custody period of petitioner, as he is in custody since 19.02.2024, learned trial court is directed to conclude the trial preferably within nine months from the date of receipt of this order.

(Chandra Shekhar Jha, J.)

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