

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.45333 of 2025

Arising Out of PS. Case No.-72 Year-2022 Thana- SAHEBGANJ District- Muzaffarpur

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Guddu Sahni @ Guddu Kumar S/o Bhageshwar Sahni R/o Vill- Nirpur, PS-
Sahebganj, Distt. - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Upendra Kumar Chaubey, Advocate

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 16-03-2026 Heard Mr. Upendra Kumar Chaubey, learned counsel

for the petitioner and Mr. Bhanu Pratap Singh, learned APP for

the State.

2. Petitioner seeks bail, who is in custody since
21.02.2024 in connection with Sessions Trial No. 567 of 2024,
Sahebganj P.S. Case No. 72 of 2022, F.I.R. dated 0303.2022, for
the offences punishable under Sections 147, 148, 149, 302,
120(B) of the Indian Penal Code and sections 25(1-b)a, 26, 27
and 35 of the Arms Act.

3. As per prosecution case, informant along with his
father and others were fishing in the pond then the petitioner
and other accused persons armed with deadly weapons came
and started firing indiscriminately due to which they sustained
injuries and they were brought to the hospital where two of
them were found dead.

4. This is the third attempt for grant of bail to the
petitioner. Earlier, the prayer for anticipatory bail of the



petitioner was rejected vide order dated 31.07.2023 passed in Cr. Misc. No. 37842/2023 and regular bail of the petitioner was rejected vide order 10.01.2025 passed in Cr. Misc. No. 44776 of 2024.

5. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. The allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR. As per allegation in FIR, petitioner along with other co-accused persons, namely, Shivshankar Sah, Sanjay Singh, Manish Singh, Rampukar Thakur have fired upon the victim, namely, Mukesh Sahni and he has died. Learned counsel further submits that although Mukesh Sahni has received four firearms injury but the allegation against five persons is not clear that whose bullet has touched the body of the deceased, namely, Mukesh Sahni and the co-accused, namely, Manish Kumar and Sanjay Kumar @ Sanjay Singh against whom the allegation is that they had also fired upon the deceased, have been granted regular bail by a coordinate Bench of this Hon'ble Court vide order dated 24.07.2023 passed in Cr. Misc. No. 39877 of 2023 and vide order dated 04.09.2025 passed in Cr. Misc. No. 87869 of 2024



and despite this, petitioner is in custody since 21.02.2024 and charge has not been framed as yet.

6. Vide order dated 02.02.2026, a report was called with regard to the stage of trial. Report dated 20.02.2026 of the trial court reveals that charge has been framed against the petitioner on 18.10.2024 and after issuance of summons/NBW against the witnesses, till date no witnesses has turned up in the trial (Sessions Trial No. 567 of 2024).

7. Learned counsel for the petitioner submits that that in view of the report of the learned Trial Court, the trial is not concluded in near future and the petitioner is in custody since 21.02.2024.

8. Learned APP for the State has vehemently opposed the prayer for bail.

9. Considering the aforesaid facts and circumstances and also the fact that the petitioner has clean antecedent, trial is not concluded in the near future and the co-accused persons have been granted regular bail by a coordinate Bench of this Hon'ble Court, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge, 20th Muzaffarpur, in



connection with Sessions Trial No. 567 of 2024, Sahebganj P.S.
Case No. 72 of 2022, with the following conditions:

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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