

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85247 of 2025

Arising Out of PS. Case No.-17 Year-2017 Thana- RAJAPAKAR District- Vaishali

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Guddu Kumar S/O Ram Prasad Rai Resident of Village - Govindpur,
Jhakhrahan, P.S- Rajapakar, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Syed Faizan Mehdi, Advocate
	:	Mr. Shivanand Singh, Advocate
For the Opposite Party/s	:	Mr. Ram Priya Sharan Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 30-03-2026 Heard Mr. Syed Faizan Mehdi, learned counsel for

the petitioner and Mr. Ram Priya Sharan Singh, learned

Additional Public Prosecutor for the State.

2. The petitioner seeks bail, who is in custody since
31.01.2025 in connection with S.Tr.No.92 of 2020 arising out of
Rajapakar P.S. Case No. 17 of 2017, F.I.R. dated 11.02.2017
registered for the offence punishable under Sections 302/34 of
IPC.

3. As per FIR, there is a specific allegation against the
petitioner for gun firing to the son of informant due to which he
died on the spot.

4. Learned counsel for the petitioner submits that the
allegation as alleged in the FIR is false and fabricated and the



petitioner has not committed any offence as alleged in the FIR. From a bare perusal of the FIR it appears that the date of occurrence as alleged in the FIR is 10.02.2017 at about 11.00 AM but the present FIR has been instituted on 11.02.2017 at about 6.00 AM after delay of one day without giving any explanation of delay. Learned counsel for the petitioner submits that merely on the basis of suspicion the petitioner has been made accused in the present case. In fact the petitioner was not present at the place of occurrence.

5. Learned A.P.P. for the State, on the basis of the material available on the record and the case diary, has vehemently opposed the prayer for bail of the petitioner and submits that from a bare perusal of the FIR it appears that there is direct and specific allegation of firing attributed against the petitioner which is supported by the medical evidence (postmortem report) and apart from the aforesaid, the petitioner has been made accused in the present case and he was absconder since 2017.

6. Considering the aforesaid facts, I am not inclined to enlarge the petitioner on bail in connection with S.Tr.No.92 of 2020 arising out of Rajapakar P.S. Case No. 17 of 2017, pending in the court of learned Additional Sessions Judge IV,



Vaishali at Hajipur.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

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