

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89615 of 2025

Arising Out of PS. Case No.-670 Year-2019 Thana- MUFFASIL District- West Champaran

Guddu Alam S/o Bhuar Miyan R/o Village- Madarsa Duiliya, P.S- Shikarpur,
Dist- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar

For the Opposite Party/s : Mr. Chandra Bhushan Prasad

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

6 24-07-2026 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner seeks regular bail in a case
registered for the offences punishable under Sections 302, 201,
120B and 34 of the Indian Penal Code.

3. Learned counsel appearing on behalf of the
petitioner submits that petitioner is in custody since 28.07.2020
and is a person with clean antecedent and the informant alleges
that while she was returning home after work when she was
intercepted by Sangeeta Devi, Pratima Devi, Afsana Khatoon
and a rickshaw-puller who assaulted her, further the informant
disclosed the occurrence to her son (Kanhaiya), further the son
of the informant and her nephew (Lalbabu) who were in Bettiah
had gone to inquire about the occurrence from the accused



persons, it is next alleged that her son and nephew were killed by the accused persons in connivance with each other.

4. Learned counsel appearing on behalf of the petitioner submits that petitioner is not named in the FIR and his name transpired during the course of investigation based on the identification made by the informant who had accompanied the Investigating Officer to the place of occurrence and identified the petitioner, it is next submitted that it does not appear probable that had the petitioner participated in the occurrence in that event he would have been present at the place of occurrence waiting for the police to arrive along with informant for identifying him. It is next submitted that Sangeeta Devi, Raja Kumar Sonar, Afsana Khatoon and Chhotu Khan @ Kaliya have been granted the privilege of regular bail by this Court as would manifest from Annexure P/2 to the bail application.

5. Learned A.P.P. for the State, Mr. Chandra Bhushan Prasad after going through the case diary opposes the prayer for regular bail of the petitioner and submits that the informant in the FIR alleges that she was assaulted by three named women accused including a rickshaw-puller. It is next submitted that informant was not knowing the rickshaw-puller by name but she identified him, it is further submitted that thereafter



petitioner was apprehended and his confessional statement was recorded and he disclosed that he along with Kaliya, Lalu and Jitendra killed the son and nephew of the informant by slitting the neck of the victim. It is also submitted that trial has commenced, it is next submitted that by order dated 24.04.2024 report with regard to the stage of the case was called and from perusal of the report contained in Letter No. 176 dated 10.04.2026 of the learned District and Additional Session Judge-XII Bettiah, it would manifest that the same records that out of seven prosecution witnesses four witnesses have already been examined, on which learned counsel appearing on behalf of the petitioner submits that no doubt four witnesses have been examined but in the year 2026 not a single witness was examined, on which learned A.P.P. for the State submits that report also records that within a period of nine months the trial shall be concluded, on which learned counsel appearing on behalf of the petitioner submits that name of co-accused Chhotu Khan @ Kaliya transpired in the confessional statement of the petitioner and he was granted the privilege of regular bail by an order dated 18.10.2023 in Criminal Miscellaneous No. 42936 of 2023 passed by the then learned Co-ordinate Bench, on which learned A.P.P. submits that Chhotu Khan @ Kaliya was granted



the privilege of bail in the year 2023 and by then four witnesses were not examined.

6. After hearing the learned counsel for the parties and taking into consideration the submissions made by the learned A.P.P. for the State, the Court is not inclined to release the petitioner on bail.

7. Hence, the prayer for bail is rejected.

8. However, petitioner would be at liberty to renew his prayer of bail if the trial is not concluded within a period of nine months from the date of receipt/production of a copy of this order.

(Satyavrat Verma, J)

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