

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24824 of 2015

Arising Out of PS.Case No. -223 Year- 2015 Thana -BHAGALPUR KOTWALI District-
BHAGALPUR

Mukesh Kumar Jha S/o Late Gopal Jha R/o village - Manikpur, P.S.
Mojahidpur, Distt. - Bhagalpur

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. B.P. Pandey, Sr. Advocate
Mr. P. K. Sinha, Adv.
Ms. Pallavi Pandey, Advocate

For the Opposite Party/s : Mr. Md.Arif (App)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

6 24-11-2015 Heard both sides.

The petitioner apprehends his arrest in Kotwali P.S.
Case No. 223/2015, registered for the offences punishable under
Section 307 and other Sections of the Indian Penal Code. Later on
Section 302 of the Indian Penal Code was added.

The son of the deceased alleged that his father was
working as a guard in Hotel Atithi Tower, Sujaganj, Bhagalpur,
but he got information that the Manager and two staff assaulted his
father and got admitted him in the hospital. Upendra Poddar, the
father of the informant died.

Learned senior counsel for the petitioner Sri B.P.

Pandey has submitted that the petitioner is Manager of the hotel. There is only one eye-witness of the occurrence who has stated in para 9 of the case-diary that there was an altercation between Ashok Rajak and Upendra Poddar, the deceased. Ashok Rajak is said to have assaulted Upendra Poddar, the deceased. The petitioner being the Manager of the hotel took the deceased to hospital where he succumbed to injuries.

It appears that the informant has very categorically stated that he got information that Manager and two staff of the hotel assaulted his father Upendra Poddar causing injury on his head and he was admitted in Life Line Hospital where he died.

Considering the nature of allegation made against the petitioner, I am not inclined to enlarge the petitioner above named on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

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