

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21327 of 2016

Arising Out of PS.Case No. -57 Year- 2016 Thana -FORBESGANJ District- ARRARIA

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1. Anil Kumar Gupta @ Anil Kr. Gupta @ Suman S/o Lakhan Pd. Gupta
Resident of Village- Bhag Kohaliya, Ward No-5, P.S.- Forbesganj, District-
Araria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Madhu Prasun

For the Opposite Party/s : Mr. Ram Chandra Sahni(App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 01-07-2016 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with B.P. No.
340 of 2016 arising out of Forbesganj P.S. Case No. 57 of 2016
registered for the offence punishable under Section 302/34 of the
Indian Penal Code.

Allegedly, the petitioner purchased *Gutkha* from
Parchun Shop of the informant on credit and when the son of the
informant demanded the price there was hot exchange thereafter,
the petitioner and co-accused, who is a veteran criminal took away
the son of the informant but he did not return and his dead body
was found lying near Mithila Colony.

Submission is of false implication and that there is no eye witness of the occurrence, no one has seen committing the crime and without any fault, petitioner is suffering in custody since 08.02.2016 to which the learned A.P.P. opposes by submitting that the petitioner and co-accused took away the deceased on the plea to pay the dues and thereafter he was killed. The witnesses are supporting the allegation, vide para 11 and 12 of the case diary.

In the facts and circumstances stated above, considering the materials collected during investigation against the petitioner, at present, I am not inclined to enlarge the petitioner on bail and accordingly, his such prayer stands rejected in connection with Forbesganj P.S. Case No. 57 of 2016 pending in the Court of learned C.J.M., Araria.

However, let the trial be expedited and concluded as early as possible preferably within a period of nine months from the date of receipt or production of a copy of this order.

(Jitendra Mohan Sharma, J)

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