

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23493 of 2018

Arising Out of PS.Case No. -73 Year- 2017 Thana -GHORASAHAN District-
EASTCHAMPARAN(MOTIHARI)

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1. Dinesh Prasad Gupta S/o Late Janakdhari Prasad Gupta, R/o Vill.-
Bijbani, P.S.- Jitna (Ghorasahan), District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha

For the Opposite Party/s : Mr. Sri Suresh Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

5 17-07-2018

Heard learned Counsel for the petitioner and the State.

Petitioner, already in custody since 5.2.2018, seeks bail in
Ghorasahan (Jharokhar) PS Case No. 73 of 2017 registered under
Sections 302 and 201/34 of the IPC.

The allegation in brief is that the informant's younger
brother had gone along with Sanjay Sah but he did not return back,
later on his dead body was found and he was killed by someone,
during investigation it transpired that the deceased had illicit affairs
with one Shanti Devi and on account of that her family members and
relatives killed him.

Learned Counsel for the petitioner submits that the petitioner
is not named in the FIR, after ten months of the occurrence so called
recovery of mobile claimed to be of the deceased is false because
the IMEI number of mobile of the deceased was not recovered from
the possession of the petitioner, the mobile recovered from the
petitioner bears different IMEI number and those mobiles are his
personal mobiles. It is further submitted that the deceased was killed
because of illicit relationship with one Shanti Devi and Shanti Devi
and Mishri Lal, one of her relative, have been admitted to bail by a



coordinate Bench of this Court vide Cr. Misc. No. 35606 of 2017.

Learned Counsel appearing on behalf of the State also concedes that the mobile recovered from the house of the petitioner does not bear the IMEI number of the deceased mobile.

Having considered the said facts and circumstances, the petitioner, namely, Dinesh Prasad Gupta is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of SDJM Sikrahna at Dhaka, East Champaran in connection with Ghorasajhan (Jharokhar) PS Case No. 73 of 2017.

(Arun Kumar, J)

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