

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.54979 of 2018**

Arising Out of PS. Case No.-165 Year-2017 Thana- NAUBATPUR District- Patna

Sunil Kumar Upadhyay @ Sunil Upadhyay S/o Sri Rajdeo Upadhyay, R/o Mohalla- Kharanja Road, Mainpura, P.S.- Danapur, District- Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Bhaskar Shankar

For the Opposite Party/s : Mr.Sri Ashok Kumar

**CORAM: HONOURABLE MR. JUSTICE S. KUMAR**

ORAL ORDER

5      17-01-2019                      Heard learned counsel for the parties.

Petitioner seeks bail in **Naubatpur P.S. Case No. 165 of 2017** registered for the offence punishable under Section 302/34 of the Indian Penal Code and Section 27 Arms Act.

Informant in his written complaint addressed to the Officer-in-charge Naubatpur P.S. has alleged that he received information on 14.06.2017 while he was in Patna his brother informed on mobile that his father and mother has been killed by petitioner Sunil Upadhyay who had come alongwith his three associates on two motorcycles and after committing murder fled away.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case. Petitioner has got no criminal antecedent and is in custody since



30.06.2017.

Considering the fact that there is direct allegation against the petitioner, I am not inclined to enlarge the petitioner on bail at this stage. Hence, the prayer for bail of the petitioner is hereby rejected.

However, it is observed that petitioner may renew his prayer for bail after framing of charge.

**(S. Kumar, J)**

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