

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25881 of 2020

Arising Out of PS. Case No.-154 Year-2020 Thana- HAJIPUR District- Vaishali

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MUKESH GUPTA S/o Late Satya Narayan Sah @ Sat Narayan Sah Resident
of Village/Mohalla-Konhara Ghat, P.S.-Hajipur Town, District-Vaishali.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vasant Vikas, Adv.

For the Opposite Party/s : Mr.Ajit Kumar No.1, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

5 10-12-2020 Heard both sides through Video Conferencing.

The petitioner seeks bail in Hajipur Town P.S. Case No.154 of 2020 registered under Sections 302 and 34 of the Indian Penal Code.

The informant alleged that his uncle Mukesh Gupta(the petitioner), his wife Mira Devi and their two sons strangled his younger brother to death.

The learned counsel for the petitioner submits that petitioner is not an eye witness of the occurrence. Save and except suspicion, there is no material to show that the younger brother of the informant was strangled to death by the petitioner. There is two storeyed building and the dead body was recovered from the ground floor of the house. Two minor sons of the petitioner have also been made accused in the case but



from perusal of the F.I.R., it appears that 13 years child was strangled to death and his dead body was found on the ground floor of the house. The petitioner is the own uncle of the deceased and the enmity is going on between the two sides. The boy was found to be strangled to death.

Taking into consideration the facts aforesaid, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected.

The trial court is directed to hold the trial on day to day basis and conclude the same within nine months from the date of receipt of this order.

Let a copy of this order be sent to the S.P., Vaishali and the trial court for information and needful.

(Prabhat Kumar Jha, J)

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