

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23733 of 2020

Arising Out of PS. Case No.-88 Year-2019 Thana- NAGARNAUSA District- Nalanda

BRIND KUMAR S/o Brahmadeo Prasad, Resident of Village-Premnagar,
P.S.-Nagarnausa, District-Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajeev Kumar, Adv.

For the Opposite Party/s : Mr. Nand Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 02-12-2020 Heard Mr. Patanjali Rishi, learned counsel for the
petitioner and Mr. Nand Kishore Prasad, learned APP through
Video Conferencing.

Petitioner seeks bail in Nagarnausa P.S. Case No.88 of
2019 registered under Sections 302 and 34 of the IPC.

Learned counsel for the petitioner submits that the
petitioner is named in the F.I.R. only on suspicion. During
course of investigation, only material against the petitioner is
that the police dog caught the petitioner and Gyandeo Sharan
Sinha @ Tinku (nephew of the deceased). From Gyandeo
Sharan Sinha, the ring of the deceased was recovered. The
petitioner and the nephew of the deceased were looking after the
business of the deceased. The deceased was found strangulated
to death inside his house. Gayndeo Sharan Sinha has already
been granted bail vide order dated 03.06.2020 passed in



Cr.Misc.No.69022 of 2019. It is submitted that the prayer for bail of the petitioner was earlier rejected vide order dated 06.03.2020 passed in Cr.Misc.No.71689 of 2019. Till date only one witness has been examined. The report of the learned Additional Sessions Judge shows that on account of outbreak of COVID-19, the prosecution witness could not be examined and the next date was fixed on 07.10.2020. It appears that it is a case of brutal murder by none-else than the persons, who were entrusted to look after the deceased.

Taking into consideration the facts that the petitioner and Gyandeo Sharan Sinha were entrusted to look after the business of the deceased but the dead body of the deceased was found inside the house and the ring of the deceased was recovered from Gyandeo Sharan Sinha, 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 six months from the date of receipt of this order. If the trial is not concluded within six months, the petitioner may renew his prayer for bail.

(Prabhat Kumar Jha, J)

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