

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35005 of 2020

Arising Out of PS. Case No.-220 Year-2006 Thana- KANTI THARMAL POWER District-
Muzaffarpur

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Gopal Ram @ Kapil Deo Ram Son Of Late Rijhan Ram Resident Of Village -
Sainpatti, Berihaar Tola, P.S. - Kanti, District - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Nachiketa Jha
For the Opposite Party/s : Mr.Ajay Kr. Jha

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 22-12-2020 The present petition has been taken up for

consideration through the mode of Video Conferencing in view

of the prevailing situation on account of COVID-19 Pandemic.

Heard the learned counsel for the petitioner and

Sri Ajay Kr. Jha, the learned APP for the State.

The petitioners seek regular bail in connection

with Kanti PS case no. 220 of 2006 instituted for the offences

punishable under Section 302/34 of Indian Penal Code.

The case of the prosecution according to the

informant is that his nephew namely Ashok Paswan used to stay

since past 08 years with one Sakal Ram and used to engage in

the business of toddy, however in between he developed love

affairs with the daughter of the brother of the said Sakal Ram



namely Gopal Ram i.e. the petitioner herein. After that, the nephew of the informant started living in his own house since past two years and used to go to Saipatti for the purposes of engaging in the business of toddy. It is also alleged that subsequently, the daughter of the petitioner started living with the nephew of the informant at his house. It is also alleged that on 03.10.2006, when the nephew of the informant was returning to his house, accused persons had surrounded him and had assaulted him. It is further alleged that the accused persons including the petitioner herein had assaulted the nephew of the informant, resulting in him sustaining grievous injuries, whereafter he had died subsequently in the night of 04.10.2006.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case, is having a clean antecedent and is languishing in custody since 06.07.2020.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the fact that the petitioner has been absconding since the year 2006 itself resulting in



interference in the administration of justice, inasmuch as the trial had remained obstructed all throughout, this Court finds that in case, the privilege of bail is granted to the petitioner herein, he might abscond again which in any view of the matter may hamper the trial, hence I do not find any merit in the present petition, thus the same stands dismissed.

(Mohit Kumar Shah, J)

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