

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29641 of 2022

Arising Out of PS. Case No.-267 Year-2019 Thana- ITARHI District- Buxar

MAHENDRA PRASAD GUPTA Son of Hema Sah Resident of village -
Diliya Tola, P.S. - Dinara, District - Rohtas.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chitranjan Sinha, Sr. Adv.
Mr. Nityanand Tiwary, Adv.
For the Opposite Party/s : Mr. Tarun Prasad Mandal, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 03-08-2022 The present petition is by way of third attempt at the behest of the petitioner for grant of bail in connection with Itarhi P.S. Case No. 267/2019 under Sections 302, 201/34 of the Indian Penal Code and Section 27 of the Arms Act inasmuch as the earlier prayer of the petitioner for grant of regular bail was rejected by this Court vide orders dated 18.12.2020 and 18.8.2021 passed in Criminal Miscellaneous No. 28874 of 2020 and Criminal Miscellaneous No. 36808 of 2021 respectively.

The case of the prosecution in brief is that on 03.12.2019 at about 7.30 am in the morning,



the informant who was then posted as ASI at Itarhi Police Station, received information over telephone that a dead body of a half burnt girl is lying near Jawahari temple at village Kukudha, whereafter the informant had registered sanha and had then left for the said place of occurrence along with the police force and upon reaching there, the informant found a burnt dead body of a female. It has also been stated that there was blood on the head and it appeared that gun shots have been fired on the head.

The learned Senior Counsel for the petitioner, Sri Chitranjan Sinha, assisted by Sri Nityanand Tiwary, Advocate, has submitted that the petitioner is languishing in custody since 11.12.2019, however, there is no substantial progress in the trial, hence, bail be granted to the petitioner herein.

Per contra, the learned APP for the State, Sri Tarun Kumar Mandal, has vehemently opposed the prayer for bail.

I have heard the learned counsel for the



parties and gone through the materials on record from which I find that the petitioner is having complicity in the alleged crime of killing of his daughter as has been recorded by this Court in its earlier order dated 18.12.2020 and moreover, there is no change in circumstance so as to warrant reconsideration of the prayer of the petitioner for grant of bail, hence, I do not find any merit in the present petition, accordingly, the same stands dismissed.

(Mohit Kumar Shah, J)

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