

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.69191 of 2021**

Arising Out of PS. Case No.-355 Year-2020 Thana- UDAKISHUNGANJ District-  
Madhepura

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AJAY KUMAR GUPTA @ PINTU GUPTA Son of Late Mahavir Gupta  
Resident of Village - Singarpur, Ward No.- 03, P.S.- Udakishunganj, District -  
Madhepura, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Rajni Kant Singh  
For the Opposite Party/s : Mr.Ram Sumiran Rai

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH  
ORAL ORDER**

2      04-03-2022                      Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for  
the offence punishable under Section 302 and some other allied  
Sections of the Indian Penal Code.

As per the prosecution case, this petitioner, in drunken  
condition, pressed the neck of husband of informant and pulled  
him down on the ground as a result of which he died.

Learned counsel appearing for the petitioner submits  
that petitioner is innocent and has falsely been implicated in the  
case. It is submitted that informant in her statement u/s 164 of  
the Cr. P. C. has stated that there was commotion between two  
sides over cutting of kutti upon which her husband became frightened  
and fell down on the ground and died. Petitioner claims clean



antecedent and is in custody since 31.07.2021 and investigation in this case is complete.

Learned counsel appearing for the State opposes the prayer for bail and submits that there is specific and direct allegation against this petitioner that he strangled the deceased and post mortem report also supports the prosecution case in which the doctor found the cause of death by strangulation.

Considering the nature of accusation and gravity of the offence, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected.

**(Prabhat Kumar Singh, J)**

BKS/-

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