

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23735 of 2024

Arising Out of PS. Case No.-423 Year-2023 Thana- PUPRI District- Sitamarhi

Gurudev Mukhiya S/o- Feku Mukhiya Village- Birauli PS- Pupri Dist-
Sitamarhi P/A- Mushari W.No-2, Ps- Pupri Dist- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar, Advocate

For the Opposite Party/s : Md. Ataur Rahman, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 26-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Pupri P.S. Case No. 423
of 2023, instituted for the offences punishable under Sections
302, 201, 120(B) and 34 of the Indian Penal Code.

3. The prosecution case, in short, is that, son of the
informant was murdered and his dead body was lying behind the
duck farm of the petitioner. It is alleged that the petitioner has
committed the murder of the son of the informant.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered from
the conscious possession of the petitioner. It is also submitted
that the son of the informant died due to electric shock from the



electric wire installed around the duck farm of the petitioner and was not murdered by the petitioner. Charge-sheet has already been submitted in this case unde Section 304, 379 and 34 of the Indian Penal Code. The petitioner is in custody since 30.09.2023 and has got no criminal antecedent. Learned counsel for the petitioner further submits that similarly situated co-accused have been granted bail by this Court vide order dated 20.03.2024 passed in Cr. Misc. No. 20612 of 2024.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, taking into account the period of custody undergone by the petitioner and claim based on parity, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail *after framing of charge, if not already framed* on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Pupri P.S. Case No. 423 of 2023.

(Rudra Prakash Mishra, J)

Rajorshi/-

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