

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46575 of 2023

Arising Out of PS. Case No.-127 Year-2020 Thana- DHANARUA District- Patna

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MUKESH KUMAR @ GUDDU Son of Late Radhika Singh Resident of
Village - Damrichk, P.S.- Dhanarua, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Y. C. Verma, Sr. Advocate

Mr.Gajanan Mishra, Advocate

For the Opposite Party/s : Mr.Anil Kumar Singh No. 1, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 16-02-2024 Heard the learned counsel for the
petitioner and the learned APP for the State.

2. The present petition is by way of third attempt at the behest of the petitioner for grant of regular bail in connection with Dhanarua P.S. Case No.127 of 2020, instituted for the offences punishable under Sections 302 and other allied Sections of the Indian Penal Code, inasmuch as all the earlier petitions filed by the petitioner for grant of regular bail, have stood rejected.

3. According to the F.I.R., the petitioner along with his wife and son had assaulted the father of the informant and specific allegation has



been levelled against the petitioner to the effect that he sat on the chest of the father of the informant and assaulted him with brick. The wife and son of the petitioner are also alleged to have engaged in assault with brick etc.

4. The learned senior counsel for the petitioner has submitted that though the petitioner is languishing in custody since 11.04.2020, but there has been no progress, whatsoever in the ongoing trial and the prosecution is deliberately not adducing evidence, hence the petitioner be granted the privilege of regular bail.

5. *Per contra*, the learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail.

6. 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 materials available on record as also having perused the impugned order dated 03.08.2022, this Court finds



that there are ample materials on record to prima facie show the complicity of the petitioner in the alleged crime and moreover, there is no change in circumstance so as to warrant re-consideration of the prayer of the petitioner for grant of bail, hence, I do not find any merit in the present petition, thus, the same stands dismissed.

(Mohit Kumar Shah, J)

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