

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.48670 of 2023**

Arising Out of PS. Case No.-128 Year-2023 Thana- SIMRI BAKHTIYARPUR District-  
Saharsa

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BHUPENDRA KUMAR S/O UMESH SHARMA R/O Village- Kathdumar,  
Ward No. 4, P.S- Bakhtiarpur, O.P- Kanaria, Distt.- Saharsa.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Bhaskar Shankar, Adv.

For the Opposite Party/s : Mr.Md. Aslam Ansari, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH  
SINGH**

ORAL ORDER

6      09-07-2024                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Bakhtiarpur (Kanaria O.P.) P.S. Case No. 128 of 2023 dated 20.03.2023 registered for the offences punishable u/ss 302, 201 read with Section 34 of the Indian Penal Code.

3. As per the prosecution case, the informant's brother was killed by unknown miscreants in a wheat field by stabbing him in the neck with a knife and slitting his throat.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is not named in the F.I.R. The name of



the petitioner has transpired in this case during the course of investigation. It is further submitted that the petitioner has no concern with the alleged offence. The petitioner has no criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 23.03.2023.

5. Learned A.P.P. for the State has opposed the bail petition of the petitioner and submitted that as per the impugned order, the blood stains shirt of the deceased was recovered from the house of the petitioner which is evident from paragraph no. 39 of the case diary. As per the postmortem report leading to heavy external bleeding resulting into hypovolemic shock and finally death.

6. Considering the aforesaid facts and circumstances of the case as well as the heinous nature of offence is against the petitioner, I am not inclined to enlarge the petitioner above-named on bail.

7. Learned trial court is directed to expedite the trial and conclude the same at the earliest.

8. The application stands rejected.

**(Chandra Prakash Singh, J)**

Gautam/-

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