

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31395 of 2026

Arising Out of PS. Case No.-25 Year-2012 Thana- MALAYPUR District- Jamui

Rajendra Gupta @ Karu Gupta @ Karu Kumar Gupta S/o- Narsingh Prasad
Gupta Village- Malaypur, P.S.-Malaypur, District- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prabhat Ranjan Singh, Advocate

For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

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

ORAL ORDER

3 21-07-2026 Heard learned counsel for the petitioner and learned APP
for the State. Perused the case diary.

2. The petitioner seeks bail in connection with ST No. 1A/2013 arising out of Malaypur P.S. Case No. 25 of 2012 instituted for the offence under Sections 302 & 34 of the Indian Penal Code (for short 'IPC'). Earlier vide order dated 26.09.2013, passed in Cr. Misc. No. 7534 of 2013, anticipatory bail of the petitioner was rejected by a Co-ordinate Bench of this Court.

3. It is alleged that petitioner and co-accused, Lalan Prasad Gupta caught hold of the brother of the informant when Tarkeshwar Gupta pierced the iron rod in the flanks of the brother of the informant who succumbed to the injury.



4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 16.02.2026. Petitioner bears no criminal antecedent, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. From perusal of the FIR, it would reveal that there is no specific allegation against the petitioner, rather the same is against other co-accused person. Learned counsel for the petitioner submits that charge sheet in this case is submitted showing the petitioner absconder. Since petitioner remained absconding, trial of the petitioner was separated from co-accused. It is submission of the petitioner's counsel that two co-accused, namely, Tarkeshwar Prasad Gupta and Lalan Prasad Gupta have been convicted in the trial. Learned counsel for the petitioner submits that petitioner comes from rustic background and due to which he left his village in fear for earning his livelihood in order to avoid his arrest.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, and particularly the conduct of the petitioner in



absconding, which obstructed the progress of the trial and resulted in the separation of his trial from that of the co-accused, this Court is not inclined to exercise its discretion in favour of the petitioner. Accordingly, the prayer for grant of bail is *rejected* at this stage.

8. The Trial Court is directed to expedite the trial as expeditiously as possible without any undue delay and unnecessary adjournments.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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