

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10516 of 2018

Arising Out of PS. Case No.-114 Year-2017 Thana- KHODABANDPUR District- Begusarai

Awadhesh Kumar S/o Rameshwar Thakur, R/o Village- Narhan, P.S.-
Bibhutipur, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinod Gautam, Advocate

For the Opposite Party/s : Md. Ashlam Ansari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR

ORAL ORDER

4 17-04-2018 Heard learned counsel for the petitioner as well as
learned A.P.P. for the State.

The petitioner, already in custody, seeks bail in connection with Khadawandpur P.S.Case No. 114 of 2017, registered under Sections 302, 201/34 and 120 (B) of the Indian Penal Code.

The allegation in brief is that the informant's son left his house on 17.07.2017 at 11 A.M. but he did not return and on the next day, his dead body was found. During investigation, it transpired that he was killed by one Raja Ram Mahto and other unknown accused persons because the deceased had illicit relationship with the daughter of Raja Ram Mahto and the petitioner is one of the associates of Raja Ram Mahto.

Learned counsel for the petitioner submits that the



F.I.R. is against unknown and the petitioner is not related with Raja Ram Mahto. It is further submitted that there is no motive for killing the deceased. It is further stated that because of SIM, which is in the name of the petitioner, recovered from the place of occurrence, so he has been falsely implicated in this case and is in custody since 16.10.2017.

Learned counsel for the State opposes the prayer for bail and submits that from the place of occurrence sim no. 8539934748 of the petitioner was recovered and para-43 of the case diary was referred. He further submits that petitioner also made confessional statement.

Having considered the said facts and circumstances, the prayer for bail of the petitioner stands rejected at this stage.

The trial court is directed to expedite the trial and preferably conclude the same within a year, if, it is not concluded within stipulated time, the petitioner may renew prayer for bail.

(Arun Kumar, J)

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