

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12278 of 2018

Arising Out of PS. Case No.-500 Year-2017 Thana- PURNEA SADAR District- Purnia

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Kunal Kishor Bharti S/o Sudhir Rajak, R/o Village- Bara Raghunathpur, P.S.-
Amdabad, District- Katihar, at present address Lalbagh Purnea City, C/o
Arbind Das, P.S.- Sadar (Purnea) District- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jai Prakash Singh

For the Opposite Party/s : Mr. Satyendra Narayan Singh, APP

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

ORAL ORDER

3 11-04-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with Sadar P.S.
Case no. 500 of 2017 registered under Sections 302 and 201 of
the Indian Penal Code.

Petitioner is said to have developed illicit relation
with the wife of the deceased, namely, Lalita Devi and on
preparing videography of their illicit relation by the deceased,
petitioner is said to have committed murder of the deceased
conspiring with Lalita Devi.

It is submitted by learned counsel for the petitioner
that the petitioner happens to be government employee and is
posted in Electric Office, Gulabbagh as Account Clerk. He has



no concern with the aforesaid occurrence and has been falsely implicated in the case merely on the basis of his confessional statement recorded before the police which has no evidentiary value in the eye of law. The dead body of the deceased was recovered preceding to recording his confessional statement. He has been languishing in custody since 15.09.2017.

On the other hand, learned APP vehemently opposed the bail petition and submitted that the petitioner has committed murder of the deceased over illicit affair with his wife Lalita Devi and on protest made by the deceased over the said relation. Number of witnesses have supported the factum of having illicit relation of petitioner with the wife of the deceased and protest made by him, extending threatening of dire consequences to the deceased. Witness Arvind Lal Das in paragraph 7 of the case diary has also stated to have witnessed the petitioner visiting the house of Lalita Devi on 12.09.2017 and on the following morning. On the basis of confessional statement of the petitioner, some incriminating article has been recovered.

In the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail. Accordingly, his prayer is rejected.

However, learned trial court is directed to dispose of



the case, as expeditiously as possible, preferably within nine months, from the date of receipt/production of a copy of this order.

(Prakash Chandra Jaiswal, J)

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