

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46109 of 2018

Arising Out of PS. Case No.-866 Year-2017 Thana- BETTIAH CITY District- West
Champaran

=====

Avinash Kumar @ Avinash Kumar Yadav S/o Sri Rajesh Prasad Yadav, R/o
Vill.- Parbatiya Tola, P.S.- Bettiah Muffasil, District- West Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma
For the Opposite Party/s : Mr. Uday Pratap Singh

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 29-10-2018

Heard learned counsel for the petitioner.

Petitioner prays for bail in connection with Bettiah
Town P.S.Case No. 866 of 2017 registered for the offences
punishable under Sections 365, 364, 302, 201 and 120B of the
Indian Penal Code.

Allegation as per FIR is that brother of informant was
missing and on search he could not be found and it is alleged
that he was kidnapped. FIR has been lodged against unknown
and later on petitioner was arrested and on confession before
police the motorcycle of the deceased was recovered from the
bushes.

Submission of learned counsel for the petitioner is
that there is absolutely nothing against the petitioner and



motorcycle of the deceased was recovered prior to the confession of the petitioner and as such he has falsely been implicated in this case and he is in custody since 14.12.2017.

Heard learned APP also, who has opposed the prayer for bail of the petitioner.

Having heard both sides and in the facts and circumstances, I am not inclined to grant bail to the petitioner.

However, as the petitioner is in custody, learned trial court is directed to expedite the trial.

With the above observation, this application is dismissed.

(Vinod Kumar Sinha, J)

spal/-

U		T	
---	--	---	--

