

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24906 of 2021

Arising Out of PS. Case No.-88 Year-2020 Thana- GADHPURA District- Begusarai

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BABLU PATHAK S/O TEJ NARAYAN PATHAK R/O VILLAGE-
MALIPUR, P.S.-GADHPURA, DISTRICT-BEGUSARAI.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Raj Kumar, Advocate
For the State	:	Mr. Uday Chand Prasad, APP
For the Informant	:	Mr. Diwakar Prasad Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 29-11-2021 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 302 and 34 of the Indian Penal Code

As per the prosecution case, the four named accused persons including the petitioner herein are stated to have assaulted the father of the informant, having killed and laid him at the door of the informant and of having escaped on seeing the informant.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. From perusal of the FIR it would transpire that there is no eye-witness to the occurrence. There are contradictions between the



statement of the informant and the members of his family. The petitioner who has no criminal antecedent is in custody since 26.12.2020.

The application for bail is opposed by learned counsel for the State and learned counsel for the informant. It is submitted by learned counsel for the informant that not only the petitioner is named but there is direct allegation against him and the application for bail of co-caused Mukesh Singh has been rejected by this Court vide order dated 22.11.2021 passed in Cr. Misc. no 40748 of 2021.

Having heard learned counsel for the parties and taking into consideration the facts of the case together with rejection of the application for bail of co-accused Mukesh Singh, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

In the facts of the case, liberty is granted to the petitioner to renew his prayer for bail after six months.

(Partha Sarthy, J)

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