

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30505 of 2020

Arising Out of PS. Case No.-24 Year-2019 Thana- BAIKUNTHPUR District- Gopalganj

Vikash Kumar @ Bikash Kumar, Son of Late Police Prasad, Resident of
Village - Bamo (Ward No - 2), P.S. - Baikunthpur, District - Gopalganj.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s :	Mr.Sanjay Kumar Pandey No.5, Advocate
For the Opposite Party/s :	Mr. Jagdhar Prasad, A.P.P.
For the Informant :	Mr. Shekhar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

4 06-01-2021 Heard learned counsel for the petitioner, learned
counsel for the informant and Mr. Jagdhar Prasad, learned A.P.P.
for the State.

Petitioner in the present case is seeking regular bail in
connection with Baikunthpur P.S. Case No. 24 of 2019 (G.R.
No. 289/2019) registered for the offence under Section 363 of
the Indian Penal Code and subsequently Section 302 of the
Indian Penal Code was added.

Learned counsel for the petitioner submits that the
name of the petitioner has transpired in the confessional
statement of co-accused Sonu Kumar. It is submitted that so far
as this petitioner is concerned he has been falsely implicated in
this case and he had no role to play in the killing of Kunal



Kumar (deceased).

Mr. Jagdhar Prasad, learned A.P.P. for the State submits that in this case the confessional statement of co-accused Sonu Kumar has to be considered with some sanctity because the co-accused had not only made self-incriminating statement but he has also disclosed the name of this petitioner and others who had actively participated in the alleged occurrence and on his disclosure recovery of the materials used in killing of the deceased were also made from the house of co-accused Manish Kumar. The dead body was also recovered. Learned A.P.P. for the State submits that it is not one of those kinds of confessional statement which may not inspire confidence.

Having regard to the facts and circumstances of the case, this Court is willing to agree with the submission of learned A.P.P. for the State. In this case the co-accused Sonu Kumar has not only made the statement disclosing the name of co-accused including this petitioner, on his disclosure even the seizures have been made from the house of another co-accused and the said Sonu Kumar has specifically stated that this petitioner had actively participated in the alleged occurrence right from beginning.

Considering the nature of the seriousness of the



allegations and the materials on the record, this Court is not inclined to grant privilege of regular bail to the petitioner. The prayer is, thus, refused.

Let the trial be expedited.

Learned counsel for the petitioner has informed this Court that the petitioner is in jail since one year and nine months, the trial court is directed to conclude the trial as early as possible preferably within a period of nine months from today.

Let the trial be held on day to day basis without granting any unnecessary adjournments and in case the trial remains unconcluded during this period for no reason attributable to the petitioner, the petitioner may renew his prayer for bail.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

