

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4646 of 2021

Arising Out of PS. Case No.-124 Year-2020 Thana- SIMRI District- Buxar

RAHUL KUMAR S/o Kanhya Singh R/o village- Nagpura, P.S.- Simari,
District- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar, Adv.

For the Opposite Party/s : Mr. Uday Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 26-05-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State through virtual court
proceeding.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 302, 201, 34 of the Indian
Penal Code. Earlier, FIR was filed under Section 365 of the
Indian Penal Code.

On the basis of Sanha of missing of the deceased by
maternal grand father of the deceased, the present FIR has been
instituted. It is stated that on 03.05.2020, the boy aged about
three years was playing near the house was missing. The
informant tried to locate his grand maternal son in the locality
and nearby places, but he could not locate the boy.

Learned counsel for the petitioner submits that he is
innocent, not named in the FIR and has been falsely implicated



in this case only on suspicion as the petitioner has illicit relation with the mother of the deceased boy. He submits that there is no material against the petitioner to connect him in this case except the confession of co-accused. He submits that co-accused has been granted bail by the learned court below itself. He further submits that petitioner has no criminal antecedent and he is languishing in judicial custody since 06.05.2020.

However, learned APP for the State opposes the prayer for bail submitting that petitioner is the main assailant and he is alleged to have committed murder of three year old boy.

Considering the nature of allegation, I am not inclined to enlarge the petitioner on bail at present. Accordingly, his payer for bail is rejected in connection with Simari P.S. Case No. 124 of 2020 pending before the court of the learned Chief Judicial Magistrate, Buxar.

Accordingly, the application is dismissed.

(Anjani Kumar Sharan, J)

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