

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21852 of 2022

Arising Out of PS. Case No.-238 Year-2021 Thana- BHAGWANPUR District- Vaishali

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Suman Kumar son of Vinod Ray Resident of Village - Manua, P.S. Sadar
Hajipur, District - Vaishali at Hajipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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with

CRIMINAL MISCELLANEOUS No. 22332 of 2022

Arising Out of PS. Case No.-238 Year-2021 Thana- BHAGWANPUR District- Vaishali

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Ratnesh Kumar @ Ratnesh Ray Son of Rajaram Ray Resident of Village -
Sathiauta, P.S.- Bhagwanpur, Distt.- Vaishali at Hajipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

(In CRIMINAL MISCELLANEOUS No. 21852 of 2022)

For the Petitioner/s	:	Mr. N.K. Agrawal, Sr. Adv.
	:	Mr. Pushpendra Kumar Singh, Adv.
	:	Mr. Kumar Rajdeep, Adv.
For the Opposite Party/s	:	Mr. Jharkhandi Upadhyay, APP.
For the O.P. No.2	:	Mr. Awadhesh Kumar Singh, Adv.
	:	Mrs. Shyama Rani, Adv.

(In CRIMINAL MISCELLANEOUS No. 22332 of 2022)

For the Petitioner/s	:	Mr. N.K. Agrawal, Sr. Adv.
	:	Mr. Pushpendra Kumar Singh, Adv.
	:	Mr. Kumar Rajdeep, Adv.
For the Opposite Party/s	:	Mr. Jharkhandi Upadhyay, APP.
For the O.P. No.2	:	Mr. Awadhesh Kumar Singh, Adv.
	:	Mrs. Shyama Rani, Adv.

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

5 15-09-2022 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioners and learned

A.P.P. for the State as well as learned counsel for the informant.

The petitioners seek regular bail in connection with Bhagwanpur P.S. Case No. 238 of 2021, lodged under Sections 302, 120(B), 201 of the Indian Penal Code.

As per the prosecution case, it has been stated by the informant that his son use to do the business of Tent, Decoration and Sound. It was further alleged that in the night of 14.10.2021 his son was seen near tent because on the occasion of Durga Pooja he has installed his tent in two villages named in the F.I.R. and on the next day his dead body was found. He has stated the name of both the petitioners that they have committed said crime.

Learned counsel for the petitioners submits that the name of petitioners have been figured in this case only and only by virtue of suspicion, there is nothing cogent material has been found against them, save and except confessional statement made by them. He further submits that petitioner of Cr. Misc. No. 21852 of 2022 is in custody since 22.11.2021 having clean antecedent and petitioner of Cr. Misc. No. 22332 of 2022 is in custody since 18.10.2021 also having clean antecedent.

Learned counsel for the State opposes the prayer for bail and submits that there are cogent material came during the

investigation and on the confessional statement of the accused it transpires that the mode in which murder has takes place, in the same fashion dead body was recovered. He also submits that charge has been framed and evidences is going on in this case.

Learned counsel for the informant vehemently opposes the prayer for bail and submits that, there is every likelihood that within 3 to 4 months the entire trial shall be concluded.

In the present facts and circumstances of this case and the submissions made above, I am not inclined to grant bail to the petitioners, therefore, their bail petition is hereby **rejected**.

But, the petitioners have liberty to renew their prayer for bail after 6 months, if trial has not concluded within the said period and the delay must not be on the instance of petitioners.

(Dr. Anshuman, J.)

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