

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32332 of 2022

Arising Out of PS. Case No.-138 Year-2022 Thana- JOKIHAT District- Araria

Mubarak Son of Taslimuddin Resident of village- Sherlangha, Police Station-
Jokihat, District - Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana, Advocate

For the Opposite Party/s : Mr. Anita Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 29-08-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the Stamp Reporter within

one month.

Heard learned counsel for the petitioner and the
learned APP for the State.

Petitioner seeks regular bail in connection with
Jokihat P.S. Case No. 138 of 2022 registered for the offences
under Sections 302, 201, 34 of the Indian Penal Code

As per the allegation, a day before the alleged
occurrence the petitioner had threatened the informant to kill his
son on account of a net having been torn by the informant's son
and thereafter as per the prosecution's story, the petitioner
forcefully took the victim on his motorcycle and after that the
victim's dead body was found in a maize crop field.



The main submissions advanced by the learned counsel Mr. Mukesh Kumar Rana for the petitioner are that the petitioner has got clean antecedent, the entire family of the petitioner have been made accused in this case mainly on the basis of threat which is alleged to have been given by this petitioner just one day prior to the recovery of the dead body, the petitioner has been made accused in this case but in order to substantiate the said allegation of threatening there is no material and evidence against the petitioner and except suspicion raised against this petitioner by the informant there is no any other material to connect him to the alleged murder. Further submission is that the investigation in respect of the petitioner has been completed and the petitioner has been languishing in jail since 18th March, 2022.

Learned APP Mr. Anita Kumari Singh appearing for the State has opposed the bail prayer.

Heard both the sides and perused the FIR. The present case relates to murder of the informant's ten years old son whose dead body was found in a maize field and as per the informant, the petitioner had threatened the informant to kill the deceased on account of a net which had been installed by the petitioner on his field, having been torn by the deceased and just



one day after the alleged threatening the dead body of the informant's son was found in a maize crop field. The petitioner appears to be the main accused of this case and the allegation of threatening made by the informant is going against him. In the opinion of this Court, the petitioner does not deserve to the privilege of bail. Accordingly, his bail prayer stands rejected.

Petitioner may renew his prayer after the framing of charge.

(Shailendra Singh, J.)

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