

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36607 of 2022

Arising Out of PS. Case No.-21 Year-2022 Thana- NAYA RAM NAGAR District- Munger

SUBHASH KUMAR KUSHWAHA Son of Musho Mandal Resident of Village-Shadipur, Bari Durgasthan, P.S.-Kotwali, District-Munger. Presently residing at Ward No.-10, Khuthari, P.S.-Kahalgaon, District-Bhagalpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Jha,Advocate

For the Opposite Party/s : Mr.Shailendra Kumar Singh,APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 22-09-2022 Heard learned counsel for the petitioner and learned counsel for the State.

Let the defect(s), if any, as pointed out by the office be removed within four weeks.

The petitioner is in judicial custody in connection with Naya Ramnagar P.S. Case No. 21 of 2022 for the offences under Sections 302, 201 and 120(B)/34 of the Indian Penal Code.

As per the prosecution story, the informant alleged that he had solemnized marriage of his daughter Puspa Devi with Nilendu Kumar Singh @ Niraj and the couple were blessed



with two sons. However, she was regularly assaulted by her husband and on the fateful day, on the pretext of purchasing beauty items for her beauty parlour, she was taken from Kahalgaon to Jamalpur and thereafter, with the help of this petitioner, she was killed.

Learned counsel for the petitioner submits that he is not named in the FIR. It is his last submission that the said husband Nilendu Kumar Singh @ Niraj confessed before the police implicating him in the alleged killing. Accordingly, he was arrested on 20-02-2022, and is in custody since then. He has further submitted that the police obtained Call Detailed Report (CDR) which does not show any telephonic conversation between the petitioner and the accused Nilendu Kumar Singh @ Niraj.

Per contra, learned counsel for the informant as also the State submits that the petitioner too had made confession before the police and on the basis of the said confession of the petitioner, the mobile of the deceased was recovered and as such considering the heinous crime of using hammer and knife to kill the lady, he does not deserve bail.

Considering the aforesaid fact/allegation, this Court is not inclined to grant him privilege of bail which is accordingly,



rejected.

The Trial Court is directed to expedite the trial and
conclude the same preferably within a period of one year.

(Rajiv Roy, J)

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