

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46787 of 2021**

Arising Out of PS. Case No.-307 Year-2020 Thana- AHIYAPUR District- Muzaffarpur

ABHISEK KUMAR @ PRAGATI Son of Shiv Chandra Ray @ Shiv Chandra
Prasad Resident of Village - Sugreedih, P.S.- Mahindwara, Distt.- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Priyesh Kumar

For the Opposite Party/s : Mr. Kumar Veerendra Narayan, APP

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER**

3 08-03-2022 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 363 and 365 of the Indian Penal Code and later on converted into sections 364, 302, 201 and 120B of the Indian Penal Code.

As per the prosecution case, the son of the informant who had gone out to the market to get some goods disappeared and his phone was also responding as switched off.

It is submitted by learned counsel for the petitioner that the FIR was registered against unknown. The name of the petitioner transpired in course of investigation. The petitioner has been falsely implicated in the case on the basis of his alleged confessional statement made before police which is inadmissible. The petitioner is in custody since 28.8.2020 and



chargesheet has been submitted in the case.

The application for bail is opposed by learned APP for the State who submits that the cause of the murder of the son of the informant by the petitioner, his father and uncle was his proximity and friendship to the sister of the petitioner, namely, Soni Kumari who has been enlarged on bail vide order contained in Annexure-2 to the petition. The petitioner has confessed to his guilt and described in detail the manner of occurrence wherein he actively participated in the murder.

Having heard learned counsel for the parties and taking into consideration the material that has transpired in course of investigation, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

Learned trial court is directed to expedite the trial.

(Partha Sarthy, J)

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