

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58194 of 2021

Arising Out of PS. Case No.-24 Year-2021 Thana- BHAGWANPUR District- Begusarai

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RANDHIR MISHRA S/o CHHEDI MISHRA R/o VILLAGE-MISHRA TOL
DANIYALPUR, P.S-TEGHRA, DISTRICT-BEGUSARAI.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr.Sabal Kumar Jha
For the Opposite Party/s :	Mr. Rajesh Kumar Choudhary
	Mr. Akhileshwar Dayal

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 25-03-2022 Heard learned counsel for the petitioner, the State
and the informant.

The petitioner prays for grant of regular bail in a case
registered for the offence punishable under sections 302, 201/34
of the Indian Penal Code and section 27 of the Arms Act.

As per the prosecution case, petitioner is suspected to
be involved in the murder of one Vijay Kumar of village
Vrindavan, Police Station Sarmera, District Nalanda.

Learned counsel for the petitioner submits that
petitioner is not named in the FIR and the Petitioner's name has
figured during course of investigation in paragraph 53 of case
diary that he along with other co-accused was seen near the



place of occurrence. No incriminating material has been recovered from the conscious possession of the petitioner. Petitioner's mobile phone tower location has been found to be near the place of occurrence at the relevant time and except the same, no other substantive evidence has been collected during course of investigation to suggest the implication of this petitioner in the present case. He is in custody since 20.02.2021 and investigation in this case is complete.

Learned counsel for the State and the informant vehemently opposed the prayer for bail and submitted that weapon used in the crime has been recovered from the possession of this petitioner and mobile phone tower location of this petitioner has been found to be near the place of occurrence at the relevant time.

Considering the nature of accusation and gravity of the offence, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

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