

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66700 of 2021**

Arising Out of PS. Case No.-117 Year-2020 Thana- SIWAN MUFFASIL District- Siwan

RAKESH SINGH S/o Ramashankar Singh R/o Village- Jafra, P.S.- Siwan
Mufassil, District- Siwan.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gajendra Kumar Singh
For the Opposite Party/s : Mr.Aditya Narayan Singh.1

**CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER**

3 10-08-2022 Let the defect(s), as pointed out by the office, be
removed within a period of four weeks from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with Siwan
(Mufassil) P.S. Case No. 190 of 2020 registered for the offences
punishable under Section 302 of the Indian Penal Code.

As per prosecution case, the informant's nephew Ritik
Raj went out from his house and he did not come. After 09:00 PM
informant started searching his nephew and found the deadbody of
his nephew near the brick kiln of one Ajay Singh. It is claimed by the
informant that unknown persons committed the murder of his
nephew namely Ritik Raj.

Learned counsel for the petitioner submits that
petitioner is in custody since 15.03.2020. Petitioner bears no criminal



antecedent. Charge sheet has already been submitted in the case and there is no likelihood of tampering with the prosecution evidence. Learned counsel further submits that there is no eye witness of the occurrence. Petitioner is not named in the F.I.R.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner as informant is petitioner in this case. Learned counsel refers para 49 of case diary in which petitioner has confessed that he committed the murder of his nephew by means of Dab and hidden the Dab as well as clothes of the deceased in Almirah of the house. Learned counsel also refers para 6 and 20 where the witnesses have stated that on the disclosure of the said petitioner the dead body was recovered from Nahar.

Considering the facts and circumstances of the case as well as this aspect of the matter that on the basis of disclosure made by the petitioner, weapon of offence (Dab), blood stained clothes of deceased have been recovered from the house of the petitioner, I am not inclined to grant bail to the petitioner. Accordingly, the bail petition of the petitioner stands rejected. However, learned court below is directed to expedite the trial within nine months from the date of receipt of the order.

(Alok Kumar Pandey, J)

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