

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11811 of 2023**

Arising Out of PS. Case No.-778 Year-2022 Thana- TEKARI District- Gaya

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Satish Kumar Mishra Son Of Babhan Mishra @ Bavan Mishra R/O Village-
Baddopur, P.S.- Kinjer, District- Arwal, Present Address Village- Baheliya
Bigha, P.S.- Tekari, District- Gaya

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pramod Kumar Chakravarti

For the Opposite Party/s : Mr.Sanjay Kumar Sharma

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**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

4 25-07-2023 Heard learned counsel for the petitioner and

learned A.P.P appearing on behalf of the State.

The petitioner is languishing in custody in a

case registered for the offences punishable under

Sections 364/34, 302 of the Indian Penal Code.

It is a case of commission of murder of the

father of the informant.

It is submitted by learned counsel for the

petitioner that petitioner is innocent and he has falsely

been implicated in this case. The petitioner is not named

in the F.I.R and his name subsequently sprang up on the



confessional statement of co-accused Manju Devi. There is no eye witness to the occurrence and the petitioner has been implicated in this case only on the basis of suspicion. The petitioner is languishing in custody since 17.11.2022. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

In contra, learned counsel appearing on behalf of the informant and learned A.P.P appearing on behalf of the State have vehemently opposed the prayer for bail of the petitioner and submitted that during investigation, the name of the petitioner has surfaced and he confessed his guilt as recorded in para 24 of the case diary and on the basis of his confession, the dead body of the father of the informant was recovered as mentioned in para 37 of the case diary. There is strong circumstantial evidence against the petitioner in the killing of the father of the informant.

Considering the fact that there is circumstantial evidence against the petitioner, this Court is not inclined



to grant bail to the petitioner. The prayer for grant of
bail to the petitioner stands rejected.

The Trial Court is directed to expedite the trial
and conclude the same at the earliest.

(Sunil Kumar Panwar, J)

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