

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18141 of 2023

Arising Out of PS. Case No.-543 Year-2022 Thana- NAANPUR District- Sitamarhi

Md Parvana Son Of Md Rahmat Resindet Of Village- Lohaita, Ward No. 14 ,
Ps Nanpur District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha

For the Opposite Party/s : Mr. Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 27-06-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

The petitioner has prayed for bail in connection with
Nanpur P.S. Case No. 543 of 2022 instituted for the offence
under Sections 363, 302 of the Indian Penal Code.

As per allegation in the FIR, the informant alleged
that her son went to bring domestic articles from Kirana shop at
near Lahautha pool but he did not return. Thereafter, the
informant raised strong suspicion that her son has been abducted
and killed by the accused person after hatching conspiracy.

Learned counsel for the petitioner submits that the
petitioner is innocent and committed no offence. He has falsely
been implicated in this case. The prosecution case has been
lodged against unknown and when the dead body of the



deceased was recovered then the informant filed a complaint before I.O. and raised suspicion against the petitioner to involve in the alleged offence. There is no eye witness of the alleged occurrence. During course of investigation, no any consistent material has come on record against the petitioner. It is further submitted that so-called confession made by the petitioner is inadmissible in the eye of law. Moreover, the petitioner is languishing in judicial custody since 3.12.2022.

Learned APP appearing for the state and learned counsel for the informant have vehemently opposed the prayer of regular bail and submitted that the petitioner was arrested thereafter, he confessed his guilt regarding murder of the deceased. The confessional statement of the petitioner has been annexed with the case diary, in which he further stated that he killed the deceased by pressing his neck thereafter, he thrown the deceased in ditch. The postmortem report also supports the prosecution wherein, doctor opined that the cause of death is due to Asphyxia leading to CR failure as a result of throttling.

Having heard the learned counsel for the parties and considering the nature of allegation, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for bail stands rejected.



The trial Court is directed to expedite the trial and
conclude the same as soon as possible.

(Sunil Kumar Panwar, J)

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