

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54314 of 2022

Arising Out of PS. Case No.-90 Year-2022 Thana- KUDRA District- Kaimur (Bhabua)

MITHLESH KUMAR S/o Mangal Prasad Nut Resident of Village- Salathua,
P.S.- Kudara, District- Kaimur (Bhabua) Bihar.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar Mishra

For the Opposite Party/s : Mr.Umeshanand Pandit

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 19-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in connection with
Kudra P.S. Case no. 90 of 2022 instituted for the offence under
Sections 302, 201/34 of the Indian Penal Code.

As per allegation in the FIR, on 13.4.2022 informant's
son went out from his house for walking and when he did not
return, a search was made. On 15.4.2022, informant found that
the dead body of his son was lying in north side of village
Slathuwa.

It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case due to
previous enmity. Lastly the deceased was seen with the
petitioner, save and except this fact, no consistent material has



come against the petitioner to show his involvement in the present case. Petitioner is languishing in judicial custody since 09.05.2022.

The application for bail is opposed by learned APP for the State and submitted that on the alleged date of occurrence, conversation was made through mobile between the deceased and petitioner, which is apparent from para 52 of the case diary. Petitioner has confessed his guilt in this offence and at his instance, hasiya, which is used in the alleged crime, and the alleged mobile was recovered. As per postmortem report, cause of death is by sharp cut weapon. During investigation, several witnesses have also supported the prosecution case.

Having heard the learned counsel for the parties and considering the heinous 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 and conclude the trial.

(Sunil Kumar Panwar, J)

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