

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56696 of 2022

Arising Out of PS. Case No.-547 Year-2021 Thana- PURNEA SADAR District- Purnia

Vijay Raha S/O Late Kishori Raha Resident of village- Purnea City, P.S.-
Sadar, District- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, Adv.

For the Opposite Party/s : Mr. Tarun Prasad Mandal, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 21-02-2023 Let the defect(s), if any, be removed within two weeks
from today.

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

The petitioner seeks regular bail in connection with
Sadar (Muffasil) P.S. Case No. 547 of 2021 lodged under
Sections 302, 201, 120(B) and 34 of the I.P.C.

As per the prosecution case, the informant has alleged
that her husband was working at Dulari Line Hotel at
Madhopara since last one year who was missing from the past
four months. Informant alleged that on 13.10.2021, she was
informed by the owner of Dulari Line Hotel that her husband
was murdered under a conspiracy by petitioner along with 2

others and they have concealed the dead body in a Sokhta Tank behind Dulari Line Hotel. Upon receiving the said information, she called police and co-villagers and lodged F.I.R. thereafter, the dead body recovered.

Learned counsel for the petitioner submits that there is one criminal case pending against the petitioner in which he is on bail and he is in custody since 05.07.2022 He further submits that the other co-accused has moved before this Hon'ble Court in Cr. Misc. No. 37886 of 2022 in which the said bail petition was rejected with a direction to release him after 6 months from the date of framing of charge.

Counsel further submits that his name is not there in the F.I.R. rather his name has figured in this case by virtue of confessional statement of the co-accused.

Learned counsel for the State opposes the prayer for bail and submits that the criminal antecedent of the petitioner is there and he is accused of Section 302 of the I.P.C. and it is the petitioner from whose shop the deceased was working.

In the present facts and circumstances of this case and the submissions made above, I am not inclined to grant bail to the petitioner. Therefore, the bail application of the petitioner is hereby rejected.

The Trial Court is directed to expedite the trial within
9 months.

With this observation, the bail application stands
rejected.

(Dr. Anshuman, J.)

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