

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61805 of 2022

Arising Out of PS. Case No.-95 Year-2021 Thana- UDWANTNAGAR District- Bhojpur

Guddu Kumar Singh @ Guddu Singh Son of Balwant Singh Resident of
Village- Mathurapur, Police Station-Koilwar, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prabhat Kumar Singh, Advocate

For the Opposite Party/s : Mr. Shantanu Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 11-01-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of four weeks from today.

Petitioner seeks bail in a case registered for the
offences punishable under Section 364 of the Indian Penal Code
and later on charge sheet has been submitted under Sections
302/ 120 B of the Indian Penal Code.

Earlier the bail of the petitioner was rejected vide
order dated 10.03.2022 passed in Cr. Misc. No. 37920 of 2021.

According to prosecution case, as per the F.I.R. the
informant lives at Sankar Mochan Nagar, Ara with her husband
and children. On 24.02.2021, the husband of the informant



namely Umesh Kumar Singh, on call by Ankaj Kumar had gone to meet him at his house at Jagdeo Nagar but did not return till evening. In the morning, the informant received a message on her mobile from the mobile of her husband demanding rupees twenty lakhs from the informant in which it was also threatened that if the money is not given, her husband would be killed. The informant asked Ankaj upon which he replied that he, along with the husband of the informant had gone to Masadh from where they were returning but in the way one person was met and the husband of the informant went with the said person and he returned to Ara by a tempo. However, during investigation, it transpired that the husband of the informant has been murdered.

Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that in fact, the petitioner is not named in the F.I.R. and the name of the petitioner has been transpired on the basis of the confessional statement of the co-accused, namely, Ankaj Kumar.

Vide order dated 30.11.2022 the report was called with regard to the stage of trial. Report dated 22.12.2022 reveals that out of five prosecution witnesses, only two witnesses have been examined.



The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and in view of the report that the trial is going on, I am not inclined to enlarge the petitioner on bail in connection with S. Tr. No. 108 of 2022 arising out of Udawantnagar (Gajrajganj O.P.) P.S. Case No. 95 of 2021 pending in the court of learned Additional District & Sessions Judge XVII, Bhojpur at Ara.

Prayer is refused.

However, the learned Trial Court is directed to expedite the trial.

(Rajesh Kumar Verma, J)

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