

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63590 of 2023

Arising Out of PS. Case No.-101 Year-2023 Thana- SHAHPUR PATORI District- Samastipur

Rahul Kumar Son Of Baidhyanath Rai Resident Of Village - Baghara
Mohanpur, P.S. - Patori, District - Samastipur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Udbhav, Advocate

For the Opposite Party/s : Mr. Gauri Shankar Gupta, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 06-12-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail in connection with
Shahpur Patori (Mohanpur O.P.) P.S. Case No. 101 of 2023,
lodged on 04.02.2023, under Sections 302/201 of the Indian
Penal Code.

3. As per the prosecution, the FIR has been lodged
against unknown accused persons.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He submits
that from the content of the FIR it is clear that the name of the
petitioner has not figured in the FIR but subsequently suspicion
has been raised against the petitioner stating that the sister of the
petitioner used to visit to the house of the informant and this



may be one of the cause upon suspicion. The petitioner was apprehended by the police and the case has been implanted by the police against the present petitioner. Counsel submits that the petitioner is too young, aged about 18 years, having one criminal antecedent and he is in custody since 07.02.2023. Charge sheet has already been filed.

5. Learned counsel for the State opposes the prayer for bail and submits that vide order dated 10.10.2023 case-diary has been called for and from the case-diary the call detail of the petitioner has been analyzed and subsequently upon arrest the petitioner has confessed about his involvement in the case. Subsequently, upon his identification the materials used in commission of the crime has been recovered which has been mentioned in paragraphs 36, 39, 40, 41 and 42 of the case-diary. The cause of death, as mentioned in the post mortem, is by the same modus operandi as confessed by the petitioner and the materials used and recovered on petitioner's identification.

6. In this view of the matter, this Court is not inclined to grant bail to the petitioner. Hence, the prayer for bail of the petitioner is rejected.

(Dr. Anshuman, J)

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