

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.785 of 2023

Arising Out of PS. Case No.-244 Year-2022 Thana- SIRDALA District- Nawada

Vikash Kumar Son Of Kapildeo Prasad @ Kapil Deb Prasad Resident Of
Village- Karigidhi, P.S.- Sirdalla, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad, Advocate
For the Opposite Party/s : Mr. Shahabuddin Azeem @ S. Azeem, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 08-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail, who is in custody since
26.05.2020, in connection with Sirdalla P.S. Case No. 244 of
2022, F.I.R. dated 21.05.2022 registered for the offences
punishable under Sections 302, 201, 34 of the Indian Penal
Code.

Allegation against the petitioner is that he along with
co-accused person Dilip Prasad committed the murder of
Nirmala Devi, who is wife of Dilip Prasad and thrown the dead
body in the Tiliya river.

Learned counsel for the petitioner submits that the
petitioner has clean antecedent and he has been falsely
implicated in the present case and he has not committed any



offence as alleged in the F.I.R. He further submits that except the confessional statement of co-accused and the self statement of the petitioner, no other cogent material has come during investigation to suggest the involvement of the petitioner in the present occurrence.

Learned counsel for the State, on the other hand, vehemently opposed the prayer for bail of the petitioner and submits that it has come during investigation that the petitioner was equally responsible for the crime in question and he along with co-accused person namely Dilip Prasad have committed the murder of the wife of Dilip Prasad and the bail application of Dilip Prasad was rejected by a Coordinate Bench of this Court vide order 17.02.2023 passed in Cr. Misc. No. 53335 of 2022.

Considering the aforesaid facts and circumstance of the case, I am not inclined to enlarge the petitioner on bail in connection with Sirdalla P.S. Case No. 244 of 2022 pending in the Court of learned Judicial Magistrate 1st Class, Nawada.

Prayer is refused.

(Rajesh Kumar Verma, J)

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