

IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.13996 of 2024

Arising Out of PS. Case No.-682 Year-2023 Thana- BUXAR District- Buxar

Mukesh Yadav @ Mukesh Kumar S/O Ram Pravesh Yadav R/O Village-  
Sohni Patti, P.S- Buxar Town, Distt.- Buxar.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

with  
CRIMINAL MISCELLANEOUS No. 21662 of 2024

Arising Out of PS. Case No.-682 Year-2023 Thana- BUXAR District- Buxar

Aditya Mishra @ Raja Mishra Son Of Brij Bihari Mishra Resident Of Village  
- Karhansi, P.S. Buxar (M), District - Buxar

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

with  
CRIMINAL MISCELLANEOUS No. 24303 of 2024

Arising Out of PS. Case No.-682 Year-2023 Thana- BUXAR District- Buxar

Pawan Kumar son of Randhir Kumar Resident of Mohalla- Chini Mill, Ward  
No. 34, Buxar, P.s.- Buxar (Town), Dist.- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**  
(In CRIMINAL MISCELLANEOUS No. 13996 of 2024)  
For the Petitioner/s : Mr. Ravi Shankar Pathak  
For the Opposite Party/s : Mr. Akshay Lal Pandit  
(In CRIMINAL MISCELLANEOUS No. 21662 of 2024)  
For the Petitioner/s : Mr. Rudrank Shivam Singh  
For the Opposite Party/s : Mr. Atul Chandra  
(In CRIMINAL MISCELLANEOUS No. 24303 of 2024)  
For the Petitioner/s : Mr. Satyapal Singh  
For the Opposite Party/s : Mr. Dinesh Singh

**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN**



ORAL ORDER

3      24-04-2024                      Heard learned counsel for the petitioners and learned  
A.P.P. for the State.

2. The petitioners seek regular bail in connection with  
Buxar Town P.S. Case No. 682 of 2023, lodged on 18.12.2023  
under Sections 302 and 120 (B) of the Indian Penal Code.

3. As per the prosecution case, the FIR has been  
lodged by the informant alleging that his son was called by Raja  
Mishra, accused of the present case on phone to attend birthday  
ceremony and subsequently, information has come to the  
knowledge that his son was subject to accident, he immediately  
reached there. When the informant reached there, he found that  
the physical condition of his son is extremely bad. He  
immediately went to the hospital for treatment, but doctor had  
declared him dead.

4. Learned counsel for the petitioner in the first case  
submits that the FIR has not been lodged in his name and his  
name has figured in this case only by virtue of confessional  
statement of co-accused during the investigation. He submits  
that save and except the confessional statement, there is no  
material against him and the petitioner is a person of clean  
antecedent and he is in custody since 21.12.2023, charge sheet  
has been filed.



5. Learned counsel for the petitioner of the second case submits he is a person of clean antecedent and he is in custody since 21.12.2023. He submits that it is true that the case has been lodged against him, but save and except the confessional statement, there is no material against him and the said confessional statement has no evidentiary value in the eyes of law.

6. Learned counsel for the petitioner of the third case submits that his name has also figured in the confessional statement of the petitioner of first case except that there is nothing against him.

7. All counsel submits that the charge-sheet has already been filed in this case.

8. Learned APP for the State opposes the prayer for bail of the petitioners and submits that though the antecedent of the petitioners are clean and they are in custody since 21.12.2023, but the allegation of murder is against them.

9. It is a case of circumstantial evidence, as such, this Court is not inclined to grant regular bail to the petitioners.

10. Accordingly, the prayer for regular bail of the petitioners in connection with Buxar Town P.S. Case No. 682 of 2023, pending before the learned Chief Judicial Magistrate,



Buxar is **hereby rejected.**

11. Liberty is hereby granted to the petitioners that they may renew their prayer for bail **six months after framing of the charge.**

**(Dr. Anshuman, J)**

Sudha/-

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