

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20274 of 2024

Arising Out of PS. Case No.-233 Year-2022 Thana- ARA NAWADA District- Bhojpur

Golanka Mushar @ Doctor Mushar @ Doctor Ram S/O Bahadur Mushar R/O
Village- Ratenpur, P.S- Ayar, Distt.- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raju Singh, Advocate

For the Opposite Party/s : Mr. Shyam Kumar Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 14-05-2024 Heard learned counsel for the petitioner and learned APP
for the State and perused the case diary.

2. The petitioner seeks bail in connection with Ara Nawada P.S. Case No. 233 of 2022 instituted for the offence under Sections 363, 366A, 302, 201 & 376D & 34 of the Indian Penal Code and Section 4/6 of the POCSO Act.

3. Prosecution case in short is that sister of the informant was abducted from the house of one Murti Devi, who has taken the sister of the informant on 06-03-2022.

4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 12-09-2023. Petitioner is a man of clean antecedent.

5. It has been further submitted by the petitioner's



counsel that petitioner has been falsely implicated in the present case. Petitioner is not named in the FIR. Name of the petitioner has transpired on the basis of confessional statement of co-accused, namely, Nandji Mushar, and the same has no evidentiary value. Petitioner has no concern with the alleged occurrence. It is lastly submitted that charge sheet has already been submitted.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. It is submitted that from perusal of the case diary, it would reveal that on the confessional statement of co-accused, Nandji Mushar, dead body was recovered. Referring to paragraph Nos. 59 & 60 of the case diary, it is submitted that witnesses have supported the prosecution case. It is lastly submitted charge sheet has been submitted in this case under Section 363, 366A, 302, 201, 379, 376D/34 of the IPC and Section 4/6 of the POCSO Act.

7. Considering the aforesaid facts and circumstances of the case, there being involvement of the petitioner and nature and gravity of the offence, this Court is not inclined to grant bail to the petitioner.

8. Accordingly, the prayer for grant of bail to the



petitioner is **rejected**.

9. The Trial Court is directed to expedite the trial as expeditiously as possible without any undue delay and unnecessary adjournments.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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