

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42719 of 2024**

Arising Out of PS. Case No.-162 Year-2024 Thana- ARA NAGAR District- Bhojpur

Vishal Kumar Son Of Arun Singh Village/Mohalla- Mahadeva Road, P.S.-
Ara Nagar (Ara Town), Distt.- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Diwakar, Advocate

For the Opposite Party/s : Mrs. Renu Kumari, APP

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

ORAL ORDER

3 24-10-2024 Heard Mr. Diwakar, learned counsel for the

petitioner, Mrs. Renu Kumari, learned APP for the State and

perused the case diary.

2. The petitioner seeks bail in Ara Nagar (Ara Town)

P.S. Case No. 162 of 2024, instituted for the offences punishable

under Sections 302 and 120-B of the Indian Penal Code.

3. The prosecution case, in short, is that, the petitioner

went to the room of the informant and stabbed the husband of

the informant repeatedly by means of knife due to which he died

there.

4. Learned counsel for the petitioner submits that the

petitioner is innocent and has falsely been implicated in the

present case. No incriminating material has been recovered from



the conscious possession of the petitioner. Learned counsel for the petitioner also submits that no such occurrence has ever taken place as alleged by the prosecution. Nothing has been recovered from the possession of the petitioner. It is further submitted that the petitioner has been made accused due to family dispute for the purpose of share in the house. The petitioner had no intention to kill the deceased and some scuffle took place between the deceased and the petitioner. The petitioner is in custody since 06.03.2024 and has got no criminal antecedent.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner. Learned APP for the State submits that it appears from paragraph no. 2 of the case diary which is the inquest report of the deceased in which the police and witnesses have opined that the cause of death is due to stab injury of knife. The re-statement of the informant has mentioned at paragraph no. 6 of the case diary. It is further submitted that there is serious allegation against this petitioner. Hence, the petitioner does not deserve the privilege of bail.

6. Considering the nature of accusation against the petitioner and the gravity of the offence, this Court is not inclined to grant bail to the petitioner.



7. The prayer is rejected. Trial Court is directed to expedite the Trial expeditiously.

(Rudra Prakash Mishra, J)

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