

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46461 of 2024

Arising Out of PS. Case No.-312 Year-2023 Thana- PASRAHA District- Khagaria

Kishore Kumar @ Kishore Mandal Son of Pahli Mandal, Resident of village -
Navtoliya Kolwara, P.S.- Pasraha, District - Khagaria.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Santosh Kumar Singh, Advocate
For the Opposite Party/s : Mr. Ganesh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 21-09-2024 Heard Mr. Santosh Kumar Singh, the learned
counsel for the petitioner and Mr. Ganesh Prasad Singh, the
learned Additional Public Prosecutor for the State.

2. Petitioner seeks regular bail who is in custody since
08.02.2024, in connection with Pasraha P.S. Case No. 312 of
2023, FIR dated 14.11.2023, registered for the offences
punishable under Sections 302, 201, 120(B) read with Section
34 of the Indian Penal Code and under Section 27 of Arms Act.

3. According to the prosecution case, the daughter of
informant went to the house of one Sumit Kumar @ Chunmun
Kumar, who later returned informant's daughter to her in a
bleeding condition and fled away. It is further alleged that when
the informant took her daughter to hospital, the doctor there
found her dead.

4. Learned counsel for the petitioner submits that



petitioner has clean antecedent and he has falsely been implicated in the present case and the allegation levelled in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR and informant is not the eyewitness to the alleged occurrence.

5. The learned Additional Public Prosecutor for the State on the other hand on the basis of materials available on record and case diary has vehemently opposed the prayer for bail of the petitioner and submits that from bare perusal of the *post-mortem* report, it appears that the accused persons have committed sexual assault with the deceased before committing murder and apart from that, they have also tried to dispose of the blanket and bed-sheet, which was used in the crime in question.

6. Considering the aforesaid facts and circumstances, I am **not** inclined to enlarge the petitioner on bail in connection with Pasraha P.S. Case No. 312 of 2023, pending in the Court of learned Chief Judicial Magistrate, Khagaria.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

Shahnawaz/-

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