

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56591 of 2024

Arising Out of PS. Case No.-45 Year-2024 Thana- KARJA District- Muzaffarpur

Rakesh Kumar Thakur @ Rajesh Kumar @ Binnu Son of Shivajee Thakur
R/O Vill.- Rupwara, P.S.- Karja, Dist.- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok, Adv.

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

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

ORAL ORDER

4 13-11-2024 Heard Mr. Alok Kumar, learned counsel for the

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

Perused the case diary.

2. The petitioner seeks bail in connection with Karja
P.S. Case No. 45 of 2024 instituted for the offences under
Sections 147, 148, 149, 302, 201, 120(B) of the Indian Penal
Code.

3. As per prosecution case, the accusation against the
accused persons including the petitioner is of cutting the son of
the Informant and placed the dead-body near the railway line.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case.



There is no direct or specific allegation of any overt act against the petitioner rather the same is general and omnibus in nature. There is no eye-witness to the alleged occurrence and, merely on suspicion, the petitioner has been implicated in the present case. He further submits that there was a quarrel among the family members with respect to sharing of land and out of depression, the victim committed suicide at the railway track. The petitioner has no criminal antecedent and is languishing in judicial custody since 12.06.2024 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner, stating that the offence alleged against the petitioner is serious in nature. The petitioner is named in the F.I.R. The postmortem report supports the prosecution case. The police after completion of investigation has also submitted charge-sheet under Sections 302/201/120(B)/34 of the I.P.C. The witnesses in course of investigation have also supported the prosecution case and, hence, the petitioner does not deserve bail.

6. Having heard rival contention of both the parties and considering the nature and severity of the offence alleged, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, the prayer for bail of the



petitioner, above named, is rejected with a liberty to the petitioner that if the trial is not concluded within a period of nine months from today, the petitioner may renew his prayer for bail before the court below which will be disposed of on its merit without being prejudiced by this order.

(Rudra Prakash Mishra, J)

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