

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55035 of 2023

Arising Out of PS. Case No.-23 Year-2023 Thana- BELA District- Sitamarhi

Indrajit Baitha S/O Late Maheshi Baitha @ Mahesh Safi R/O Village- Sukki
Musharaniya, Ps. Parihar, Dist. Sitamarhi

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Mishra

For the Opposite Party/s : Mr.Sanjay Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 24-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection with Bela P.S. Case No. 23 of 2023 instituted for the offence under Sections 364(A), 120(B)/34 of the Indian Penal Code but charge-sheet has been submitted u/s 364(a), 302, 120(b), 201/34 of the I.P.C.

3. As per allegation in the FIR, it is a case of double murder. The informant alleged that his son Vishnu Prasad and his son's friend Rohit Kumar had been abducted for ransom money by the accused persons including the petitioner. But due to non fulfillment of ransom demand, the petitioner hatched a conspiracy along with other accused persons and committed murder of Vishnu Prasad and Rohit Kumar.



4. Learned counsel for the petitioner submits that the petitioner is innocent and committed no offence. Although the petitioner is named in the FIR but he has falsely been implicated in this case on the basis of disclosure made by co-accused Krishna Pandit. No one is eye witness of the alleged occurrence. The petitioner has got no criminal antecedent as stated in para-3 of the bail petition and he is languishing in judicial custody since 23.1.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail and submitted that the petitioner is named in the FIR who along with other co-accused persons is said to have committed murder of Rohit Kumar and Vishnu Prasad. From perusal of case diary, the petitioner as well as other co-accused persons have confessed their guilt regarding involvement in the murder of both victims Rohit Kumar and Vishnu Prasad for ransom money. At the instance of confessional statement of co-accused Ajay Baitha, dead bodies of both the victims have been recovered. There is strong circumstance evidence against the petitioner which suggests his complicity in the alleged occurrence.

6. Having heard the learned counsel for the parties and considering the nature of allegation, this court is not



inclined to enlarge the petitioner on bail and, as such, his prayer for bail stands rejected.

7. The trial Court is directed to expedite the trial and conclude the same within a period of nine months.

(Sunil Kumar Panwar, J)

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