

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55444 of 2024

Arising Out of PS. Case No.-124 Year-2022 Thana- SARAIYA District- Muzaffarpur

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Suraj Kumar @ Tutu Singh @ Tutu Son of Braj Kishore Thakur R/O Vill.-
Sirkohia, P.s.- Saraiya (Jaitpur O.P.), Dist.- Muzaffarpur.

... .. Petitioner/s

Versus

The State Of Bihar Patna

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

3 04-10-2024 Heard Learned Counsel for the petitioner and

Learned A.P.P. for the State.

2. The petitioner seeks regular bail in connection with Saraiya (Jaitpur O.P.) P.S. Case No.124 of 2022 corresponding to Sessions Trial No.808 of 2022 lodged dated 24.02.2022 under Sections 302, 201, 120B and 34 of the I.P.C. read with Section 27 of the Arms Act.

3. As per the prosecution case, the F.I.R. has been lodged against six named accused persons including the petitioner against whom there is allegation that they have conspired to kill the husband of the informant as the accused persons has apprehension that her husband was involved in conviction of one accused, namely, Rajnish Kumar.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has committed no offence. He further submits that the petitioner's named has figured in this case by virtue of confessional statement of co-accused persons and there is no material against the petitioner.

5. Learned Counsel further submits that petitioner is in custody since 08.04.2022 and his antecedent is not clean. There are in total 6 cases pending against him in which he is on bail in some cases and in rest cases, he is persuading for bail. He further submits that the petitioner is ready to fulfill all the conditions whatsoever shall be imposed upon him.

6. Learned Counsel for the State opposes the prayer for bail and submits that the petitioner is not innocent. It is true that the petitioner's name has come in this case by virtue of confessional statement, but the said confession is basically corroborative by virtue of recovery of dead body.

7. Learned Counsel further submits that the petitioner's antecedent is not clean. There are in total 6 cases pending against him and most cases are relating to section 302 of the I.P.C.

8. In the present facts and circumstances of this case and the submissions made above, this Court is not inclined to grant bail to the petitioner. Therefore, the bail application of the



petitioner is hereby rejected.

9. However, Trial Court is directed to expedite the trial.

(Dr. Anshuman, J.)

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