

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62867 of 2024

Arising Out of PS. Case No.-77 Year-2024 Thana- AGRER District- Rohtas

Rajesh Kumar Son of Raj Mohan Singh Resident of Village - Narsingh Bigha,
Police Station - Dehri (Muffasil), District - Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
For the Petitioner/s : Mr.Rajani Kant Singh, Advocate
For the Opposite Party/s : Mr.Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 26-10-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 302 and 201/34 of the Indian Penal Code.

3. The case of the prosecution in brief is that on 05.03.2024 a dead body was recovered from the canal. The dead body seems to be a girl of 15 years. Later, it was identified as the dead body of Nitu Kumari. From the First Information Report (FIR), it is clear that the same was lodged against the unknown persons. During investigation, the petitioner was arrested and CDR of his mobile was collected from the concerned department. From the CDR of his mobile, it is clear that the petitioner had made various calls to the deceased on



27.06.2024, though it has come that the mobile which was being used by the deceased belongs to her father. The petitioner and one Sanjeev Kumar have also given confessional statement before the police.

4. During the argument, learned counsel for the petitioner has conceded that the petitioner was having relation outside marriage with the deceased. Although, the confessional statement has been made before the police is not a legal material but on perusal of the post-mortem report, it transpires that the deceased had multiple bruise over front of her neck. Even the inquest report goes to support it. The story which has been propounded in the confessional statement of the petitioner shows that though he was in relation with the deceased, his marriage was fixed with some other girl and that is why the deceased was aggrieved. The CDR and the admitted relation between the deceased and the petitioner as also the multiple bruise over the front of neck in the ante-mortem injuries goes to show that the informant had the motive to commit the offence.

5. Learned APP appearing for the State has opposed the prayer of regular bail.

6. Having regard to the aforesaid facts and circumstances and the nature of allegation as has been levelled



against the petitioner, I am not inclined to extent the privilege of bail to the petitioner. Accordingly, the same stands rejected.

7. However, the petitioner will be at liberty to renew his prayer for bail if the trial is not concluded within a period of one year.

(Ashok Kumar Pandey, J)

Jagdish/-

U		T	
---	--	---	--

