

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69336 of 2024

Arising Out of PS. Case No.-354 Year-2023 Thana- RAJAOLI District- Nawada

Mukesh Kumar @ Guddu Yadav S/o Damodar Yadav R/o Village- Ghasko Tand, P.S.- Garhi, District- Jamui. At present Village- Chatkari Tola, Tara Tand, P.S.- Rajauli, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

4 20-12-2024 Heard learned counsel for the petitioner and learned APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with Rajauli PS Case No. 354 of 2023 instituted for the offences under Sections 365 of the Indian Penal Code (for brevity 'the IPC') and later on Sections 364, 302, 201 & 120(B) of the IPC.

3. As per prosecution case, the accusation against the accused persons including the petitioner is of being involved in the alleged kidnapping of the husband of the informant.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. There is delay of two days in lodging of the FIR. Except, confession, no consistent evidence has come against the



petitioner to show his complicity in the alleged occurrence. There is no specific allegation attributed to the petitioner. There is no eye witness to the occurrence. The petitioner is in custody since 23-05-2024, having no criminal antecedent.

5. Learned APP for the State has opposed the application for bail and submitted that petitioner is named in the FIR. It is submitted that petitioner in his confessional statement has confessed his guilt, which fact finds mention at paragraph No. 64 of the case diary. It is submitted that there is specific over act of killing the deceased is against petitioner and others.

6. Having heard the learned counsel for the parties and considering the seriousness of the case, 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 conclude the trial expeditiously without any undue delay and unnecessary adjournments.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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