

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74604 of 2023

Arising Out of PS. Case No.-892 Year-2021 Thana- KUDHNI District- Muzaffarpur

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Raja Kumar @ Raja Babu Son Of Late Ram Pravesh Rai R O Vill Sakari
Saraiya P S Kudhani (TURKI O P) District Muzffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad, Advocate

For the Opposite Party/s : Mr. Choubey Jawahar, Advocate

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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

4 12-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks regular bail in connection with
Kudhani P.S. Case No. 892 of 2021, registered for the offences
punishable under Sections 363, 302, 201, 34 of the Indian Penal
Code.

3. As per the prosecution case, it is alleged that the
petitioner along with other accused persons killed Vinay Kumar
(son of the informant) and covered his face with tape, tied his
hand and feet and packed his body in a sack and threw his dead-
body in a ditch.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in this
case due to four criminal antecedents in which he is on bail. He



further submits that the petitioner is not related to Soni Kumari in any manner and there was no occasion for him to participate in this occurrence. The petitioner is in custody since 07.12.2021.

5. Learned APP for the State has opposed the prayer for regular bail of the petitioner stating that the petitioner in association with other accused persons killed the son of the informant in cruel manner and threw his body in the ditch. He further submits that during course of investigation it has come that the deceased was in physical relationship with the wife of the petitioner. The son of the informant was last seen with the petitioner. The post-mortem report shows the cause of death of the deceased due to asphyxia. The inquest report also shows that the head of the deceased was completely wrapped with adhesive tape. Therefore, the petitioner doesn't deserve the privilege of bail at this stage.

6. Considering aforesaid facts and circumstances of the case, submissions of the parties and the nature of allegations made against the petitioner, this Court is not inclined to grant bail to the petitioner at this stage. Accordingly, the prayer for bail of the petitioner stands rejected.

7. A report has been received from the learned trial court in which it has been stated that the trial of the case is



likely to be completed within six months. If the trial of the case is not concluded within six months, the liberty is given to the petitioner for renewal of his prayer for the bail after six months, if required.

(Sunil Dutta Mishra, J)

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