

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12172 of 2025

Arising Out of PS. Case No.-90 Year-2022 Thana- KUDRA District- Kaimur (Bhabua)

Mithilesh Kumar @ Mithilesh Nut Son of Mangal Prasad Nut Resident of
Village- Salathua, Ward No. 5, PS- Kudra, Distt.- Kaimur (Bhabhua)

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nagendra Kumar Singh, Adv.

For the Opposite Party/s : Mr.Murli Dhar, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

4 13-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with S. Tr. No. 393/2022 corresponding to Kudra P.S. Case No. 90 of 2022 dated 17.04.2022 registered for the offences punishable u/ss 302, 201 read with Section 34 of the Indian Penal Code.

3. As per the prosecution case, on 13.04.2022, the informant's son went out from his house for walking and when he did not return, a search was made. On 15.04.2022, the informant found that the dead body of his son was lying in north side of village, Slathuwa.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this



case. There is no eye witness to the alleged occurrence. The petitioner has no concern with the alleged offence. Lastly, the deceased was seen with the petitioner, save and except this fact, no consistent material has come against the petitioner to show his involvement in the present case. The petitioner has two criminal antecedents in which he has been acquitted as stated in para 3 of the bail petition. The petitioner is in custody since 17.05.2022.

5. Learned A.P.P. for the State has opposed the bail petition of the petitioner and submitted that the bail application of the petitioner was earlier rejected by the Coordinate Bench of this court vide order dated 19.04.2023 passed in Cr. Misc. No. 54314 of 2022. Learned counsel has further submitted that on the alleged date of occurrence, conversation was made through mobile between the deceased and the petitioner which is apparent from para 52 of the case diary. The petitioner has confessed his guilt in this offence and at his instance, *hasiya* which is used in the alleged crime and the alleged mobile was recovered. As per the post-mortem report, cause of death is by sharp cut weapon. During investigation, several witnesses have also supported the prosecution case.

6. Considering the aforesaid facts and circumstances of the case as well as the heinous nature of allegation against the petitioner, I am not inclined to enlarge the petitioner above-named



on bail.

7. Learned trial court is directed to expedite the trial
and conclude the same at the earliest.

8. The application stands rejected.

(Chandra Prakash Singh, J)

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