

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35997 of 2025

Arising Out of PS. Case No.-177 Year-2024 Thana- KASBA District- Purnia

Rahul Kumar @ Rahul Yadav S/o Late Binod Yadav R/o Village- Tinpaniya,
Ward No 5/14, P.S.- Kasba, District- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur, Advocate Mr. Purushottam Kumar, Advocate Ms. Kajal, Advocate Mr. Pawan Kumar, Advocate
For the Opposite Party/s	:	Mr. Abhay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

3 18-08-2025 Heard learned counsel for the petitioner, learned
APP for the State and perused the case diary.

2. The petitioner seeks bail in connection with Kasba P.S. Case No. 177 off 2024, instituted for the offences punishable under Sections 103(1), 61 of the Bharatiya Nyaya Sanhita, 2023 and Section 27 of the Arms Act.

3. The prosecution case, in short, is that the petitioner along with other co-accused persons have committed murder of informant's husband by firing upon him.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Charge-sheet has been submitted in this case. No incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner



also submits that the petitioner has not committed any offence as alleged in the FIR. The petitioner has been implicated in this case due to dirty village politics. It is further submitted that the informant is not an eye witness of the said occurrence. Both the parties are agnates and the petitioner has been falsely implicated in this case due to ill motive of the informant. The petitioner is in custody since 07.08.2024 and has got no criminal antecedent.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner and submits that the petitioner is named in the FIR and there is direct allegation against the petitioner of committing murder of the deceased by firearm. It is further submitted that the said allegation also corroborates from the post-mortem report of the deceased. Hence, the petitioner does not deserve the privilege of bail.

6. Considering the aforesaid facts and circumstances of the case, nature of accusation and the gravity of the offence, this Court is not inclined to grant bail to the petitioner at this stage.

7. The prayer is rejected. The trial Court is directed to expedite the Trial.

(Rudra Prakash Mishra, J)

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