

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59982 of 2024

Arising Out of PS. Case No.-21 Year-2024 Thana- MIRGANJ District- Gopalganj

Bipin Kumar Singh @ Bipin Singh Son of Late Paras Singh Village-
Ekderwan, P.S.- Gopalganj Town, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Javed Aslam, Adv.

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

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 17-01-2025 Heard learned counsel for the petitioner and learned
APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with
Mirganj P.S. Case No. 21 of 2024 instituted for the offences
under Section 302, 120B/34 of the Indian Penal Code.

3. As per prosecution case, the accusation against
the petitioner is of being involved in commission of murder of
the Informant's son.

4. Learned counsel for the petitioner submits that
the petitioner is innocent and has committed no offence as
alleged against him and has falsely been implicated in the
present case merely on the basis of suspicion. The petitioner



is the nephew of the Informant and cousin brother of the deceased. The petitioner is not named in the F.I.R. and his name has surfaced in this case during investigation on receipt of secret information through spy. Learned counsel for the petitioner submits that though the Informant was alleged to be present at the place of occurrence but, neither the Informant nor any witness has named the petitioner of being involved in the alleged occurrence. The petitioner has been implicated in the present case on the basis of the secret information of the spy and the petitioner has confessed his guilt in his confessional statement before the police which has no evidentiary value in the eye of law. There is no eye-witness to the alleged occurrence. There is no direct or specific allegation of any overt act against the petitioner rather the same is general and omnibus in nature. The petitioner has no concern with the alleged occurrence. The petitioner has three criminal antecedents and is languishing in judicial custody since 02.02.2024 without any rhymes or reason.

5. Learned counsel for the petitioner again submits that the co-accused namely Suraj Kumar Gond has already



been granted bail by this Court vide order dated 18.09.2024 passed in Cr. Misc. No. 48327 of 2024.

6. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner, stating that the offence alleged against the petitioner is serious in nature. Para-65 of the case diary contains the confessional statement of the petitioner in which he has confessed of his being involved in the alleged occurrence. In Para-67 of the case diary, it has been stated that on the disclosures made by the petitioner in his confessional statement, the police has recovered the alleged knife which was used in the alleged occurrence. Accordingly, the petitioner does not deserve the privilege of grant bail.

7. In compliance to the earlier order of this Court, the learned court below has sent status report, stating therein that twocharge-sheeted witnesses have been produced and examined by the prosecution so far and rest of the witnesses are yet to be examined. It has also been stated that the trial is likely to be concluded within a period of six months in case all the witnesses are produced by the prosecution.



8. Considering the nature and gravity of the offence coupled with the confessional statement of the petitioner leading to recovery of the knife used in the alleged occurrence as also taking into account the report sent by the learned court below, this Court is not inclined to grant bail to the petitioner at this stage.

9. Accordingly, the prayer for bail of the petitioner, above named, is rejected with a direction to the court below to expedite the trial and conclude the same expeditiously.

(Rudra Prakash Mishra, J)

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