

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85832 of 2024

Arising Out of PS. Case No.-110 Year-2024 Thana- BARGAINIA District- Sitamarhi

Kanhaiya Kumar S/O Guddu Kumar @ Guddu Mahto Resident of village-
Mokama, Police Station-Mokama, District- Patna present address- Kanpa
Sahera Gali No.-05, Delhi in the house of Niraj Yadav.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Singh, Advocate

For the Opposite Party/s : Mr. Umesh Lal Verma, APP

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

ORAL ORDER

4 27-02-2025 Heard learned counsel for the petitioner and learned APP
for the State. Perused the case diary.

2. The petitioner seeks bail in connection with
Bairgania P.S. Case No. 110 of 2024 instituted for the offence
under Sections 302, 201 & 34 of the Indian Penal Code.

3. Prosecution case in short is that daughter of the
informant went to market on 17-04-2024, but did not return.
Later, the family learnt through social media about a dead body
near '*Shiv Shakti Gas Godown*', which was confirmed to be of
the dead body of her daughter. She was allegedly murdered by
an unknown person.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 13-07-2024. Petitioner



bears no criminal antecedent, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Petitioner is not named in the FIR. Name of the petitioner has transpired on the basis of confessional statement of co-accused, namely, Dheeraj Kumar. Petitioner has no concern with the occurrence. No incriminating article has been recovered from the possession of the petitioner. Charge sheet has been submitted in this case.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. It is submitted that co-accused, namely, Dheeraj Kumar, has confessed his guilt and has stated that he along with petitioner committed murder of his wife and thrown away the dead body. It is submitted that mobile phone of the deceased has been recovered from the possession of the petitioner.

7. Considering the aforesaid facts and circumstances of the case, there being enough material against the petitioner in the case diary, this Court is not inclined to grant bail to the petitioner. Prayer for grant of bail is, accordingly, rejected.

8. The Trial Court is directed to expedite the trial as



expeditiously as possible without any undue delay and unnecessary adjournments.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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