

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3881 of 2025

Arising Out of PS. Case No.-69 Year-2024 Thana- KANTI District- Muzaffarpur

Vivek Kumar S/o Sanjay Kumar @ Sanjay Singh @ Sanjay Kumar Singh R/o
Village- Rampur Lakshmi, P.O. and P.S.- Kanti, District- Muzaffarpur

... .. Petitioner/s

Versus

- 1. The State of Bihar
- 2. X, R/o Village and P.O.- Ramtomha, P.S.- Minapur, District- Muzaffarpur

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Dhananjay Kumar Singh, Advocate
For the Opposite Party/s	:	Mr. Nitya Nand Tiwary, APP
For the Informant	:	Ms. Smita Shreyash, Advocate

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

ORAL ORDER

4 23-04-2025 Heard Mr. Dhananjay Kumar Singh learned counsel

for the petitioner, Ms. Smita Shreyash, learned counsel for the

informant and Mr. Nitya Nand Tiwary, learned APP for the State.

Perused the case diary.

2. The petitioner seeks bail in connection with POCSO
G.R. Case No. 45 of 2024 arising out of Kanti P.S. Case No. 29
of 2024 instituted for the offences under Sections 376, 302,
201/34 of the Indian Penal Code and Sections 4/6 of the POCSO
Act.

3. Prosecution case, in short, is that, on the alleged
date and time the informant’s daughter went missing. Later on,
the dead body of the informant’s daughter was found in the



petitioner's orchard.

4. Learned counsel for the petitioner submitted that the petitioner is innocent and has falsely been implicated in the present case only on the basis of suspicion. There is no eye-witness to the occurrence. Learned counsel further submitted that during course of investigation, no independent witness has supported the case of the prosecution. Learned counsel further submitted that there are seven charge-sheeted witnesses and out of them, three have been examined. It has been submitted on behalf of the petitioner that the petitioner is in custody since 28.01.2024 and has no criminal antecedent.

5. Learned A.P.P. for the State and learned counsel for the informant vehemently opposed the prayer for grant of bail to the petitioner. Learned APP further submitted that as per the material available in the case diary, this petitioner has himself confessed his guilt and specifically stated the manner in which he committed the murder of the deceased and on the basis of disclosure made by him, knife has already been recovered. Learned APP further submitted that the post-mortem report also supports that manner in which the petitioner committed the murder of the deceased. Learned counsel for the informant and learned APP for the State jointly prayed that petitioner may not



be released on bail.

6. Considering the aforesaid facts and circumstances of the case as also nature and gravity of offence this Court is not inclined to grant bail to the petitioner.

7. Accordingly, the prayer for grant of bail to the petitioner is, hereby, rejected.

8. Learned Trial Court is directed to expedite the trial.

(Rudra Prakash Mishra, J)

Alok Verma/-

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