

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89918 of 2024

Arising Out of PS. Case No.-231 Year-2024 Thana- JOGAPATTI District- West Champaran

Rahul Kumar S/O Jawahir Mahto R/O Vill- Bishunpurwa P.S.- Jogapatti,
Dist- West Champaran At Bettiah

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, APP

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

ORAL ORDER

4 27-03-2025 Heard learned counsel for the petitioner and learned APP
for the State. Perused the case diary.

2. The petitioner seeks bail in connection with Jogapatti P.S. Case No. 231 of 2024 instituted for the offence under Sections 103, 61(2) & 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. Prosecution case in short is that daughter of the informant got married with one Rajesh Mahto in the year 2014 and on 13-07-2024, her daughter was done to death by some unknown persons and thereafter, dead body was thrown away in the orchard of the village.

4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 16-07-2024. Petitioner



bears one 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. It is next submitted that the police arrested one 'Akhilesh Bari', allegedly ex-lover of the deceased, based on the deceased's last call record and on the basis of his confessional statement three persons have been implicated, including the petitioner, which has no evidentiary value. Learned counsel submits that petitioner is co-villager and there was no motive or intention to kill her. As per postmortem report, doctor has opined the cause of death due to haemorrhage and shock by sharp object. No incriminating material has been recovered from the possession of the petitioner. Charge sheet is submitted in this case.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. As per paragraph No. 25 of the case diary, which is confessional statement of co-accused, Akhilesh Bari, it is submitted that co-accused has very categorically attributed the role of each accused persons, including the petitioner and it is confessed by him that petitioner climbed over the body of the deceased and



slit her throat with a knife, which fact is corroborated by the postmortem report, wherein injuries were caused by sharp object.

7. Considering the aforesaid facts and circumstances of the case, there being direct involvement of the petitioner in the commission of offence, this Court, at this stage, is not inclined to grant bail to the petitioner. Prayer for 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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