

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.830 of 2025

Arising Out of PS. Case No.-547 Year-2024 Thana- GAYA MUFASIL District- Gaya

Om Prakash Kumar S/O Baldev Ravidas Village- Manpur Harijan
Dharamsala, PS- Buniyadganj, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Ms.Arpana Kumari, Adv.
For the Opposite Party/s	:	Mr.Md. Ataur Rahman, APP
For the Informant	:	Mr. Rajesh Kumar Mishra, Adv.

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

ORAL ORDER

3 08-04-2025 Heard learned counsel for the petitioner and learned
APP for the State as also learned counsel for the Informant.
Perused the case diary.

2. The petitioner seeks bail in connection with
Muffasil P.S. Case No. 547 of 2024 instituted for the offences
under Sections 302, 328 & 34 of the Indian Penal Code.

3. As per prosecution case, the accusation against the
accused persons including the petitioner is of being involved in
the murder of the deceased.

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
because of local village politics with ulterior motive of the



named accused persons. The petitioner is not named in the F.I.R. and his name has transpired in this case in course of investigation on the basis of the confessional statement of the co-accused Puja Kumari and Vikky Kumar recorded before the police which has no evidentiary value in the eye of law. Thereafter, the petitioner was arrested and his confessional statement was recorded by the police under duress. The petitioner has no concern with the alleged occurrence. There is no specific or direct allegation of any overt act against the petitioner rather the same is general and omnibus in nature. The specific allegation is against the husband of the deceased. The petitioner has no criminal antecedent and is languishing in judicial custody since 27.06.2024 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State and the Informant have vehemently opposed the prayer for grant of bail to the petitioner, stating that the offence alleged is serious in nature. The co-accused Puja Kumari and Vikky Kumar in their confessional statement have named the petitioner of being involved in the alleged offence. The petitioner has also confessed in his confessional statement of supplying the poison in the form of capsule to the husband of the deceased. Thus, there is direct allegation against the petitioner in the alleged



occurrence and, hence, he does not deserve bail.

6. Having heard learned counsel for the parties, discussed herein above and considering the nature and gravity of the offence, this Court is not inclined to grant bail to the petitioner.

7. 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 preferably within a period of one year from today. If the trial is not concluded within the period of one year, as stated above, the petitioner will be at liberty to renew his prayer before the court below which will be disposed of on its merit without being prejudiced by this order.

(Rudra Prakash Mishra, J)

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