

**IN THE COURT OF DISTRICT & ADDITIONAL SESSIONS JUDGE-III,
VAISHALI AT HAJIPUR**

S. Tr. No. 612 of 2024

State of Bihar Vs Santosh Kumar & Others

Rajapakar P.S. Case No. 182/2023

01.09.2025

ORDER

1. Bail petition was filed on the behalf of accused/petitioner, namely, Santosh Kumar and the copy of said petition was got received to the learned A.P.P. for the state.

2. He has submitted that petitioner has been falsely implicated. Vide Criminal Misc. No. 45290/2024 before High Court, Patna and vide SLP (criminal) Diary no:- 59845/2024 before Supreme Court of India which are rejected save and except no petition for bail either Regular or Anticipatory bail has been moved on his behalf; that the petitioner has antecedents vide:- (i) Hajipur Sadar P.S. Case No. 356/2020, (ii) Hajipur Sadar P.S. Case No. 509/2023, (iii) Hajipur Sadar P.S. Case No. 480/2020, (iv) Bhagwanpur P.S. Case No:-219/2020, (v) Hajipur Sadar P.S. Case No. 431/2020, (vi) Vaishali P.S. Case No. 244/2015, (vii) Mahua P.S. Case No. 326/2021, (viii) Parsa P.S. Case No. 99/2015, (ix) Rajapakar P.S. Case No. 180/2023, (x) Maniyari P.S. Case No. 134/2022 in which petitioner was on bail; that the petitioner is in judicial custody since 07.06.2023; that the petitioner is innocent and has not committed any offence; that no occurrence did take place as alleged in F.I.R.; that as a matter of fact petitioner has no concern with alleged occurrence; that as a matter of fact Rajapakar p.s case no:-194/2023 is lodged against Informant and his associate and only to make defence this case brought in picture by Informant with his cunningness; that there is no specific allegation made against this petitioner; that all

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allegations are false, concocted and omnibus in nature; that during trial witnesses were examined and on fair perusal of evidence adduced by witnesses there is no eye witness of alleged occurrence and witnesses cast only suspicion of involvement of this Petitioner in alleged crime; that the petitioner is rioting in judicial custody without any fault; that the petitioner is law abiding citizen; that the petitioner is ready to furnish sound and suitable bailors for the satisfaction of the court.

3. *Per Contra*, Ld. A.P.P. has opposed the bail application.

4. The petitioner is named in the F.I.R. There is direct allegation against the petitioner to murder the informant's son. The police has also submitted the charge-sheet U/Ss. 302, 120(B)/34 of I.P.C. along with 27 of Arms Act. The charges have been framed on 30-08-2024. The Prosecution has produce P.W.1- Nityanand Kumar, P.W.2- Bipin Kumar, P.W.3- Brijnandan Rai, P.W.4- Gaurav Kumar, P.W.5- Sarda Devi, P.W.6- Rekha Devi W/o Rajesh Rai, P.W.7- Rekha Devi W/o Vinay Paswan, P.W.8- Sulekha Devi and P.W.9- Baidyanath Singh. **The Hon'ble High, Patna vide Cr. Misc. No. 45290/2024 dated 05-07-2024 has been pleased to reject the bail application of the petitioner and has directed to expedite the trial and conclude the same within a period of one year.**

5. The Office has already been directed to issue summons upon **Dr. Rakesh Kumar of Sadar Hospital, Hajipur**. The Office has also been directed to issue bailable warrant against **Gita Kumari**. The Prosecution has already produced 09 witnesses out of 12 charge-sheeted witness and this Court is about to conclude the trial within a very short span of time and

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dates have already been fixed for the production of the aforesaid witnesses on 15-09-2025, 23-09-2025 and 14-10-2025. The Office to S.P., Vaishali has been directed to be informed about the aforesaid dates. The important witnesses have contested the matter. The allegation against the petitioner is very serious as well as direct. Therefore, considering the entire facts and circumstances, including the direction of Hon'ble High Court, Patna as well as the stage of trial, I am not inclined to enlarge the petitioner on the bail at this point of time. Hence, bail petition filed on the behalf of accused/petitioner, namely, Santosh Kumar is hereby **rejected**.

6. The Officer Clerk is hereby directed to make relevant entry in the Register dealing with Direction of Hon'ble Constitution Courts and a request letter is to be issued for kind extension of time for two months for disposal.

Dictated

Gaurav Kamal
District & Addl. Sessions Judge-III
Vaishali at Hajipur.
01-09-2025