

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7941 of 2015

Arising Out of PS.Case No. -186 Year- 2014 Thana -NAWADA District- NAWADA

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1. Pankaj Kumar S/o Krishna Deo Ram@ Krishna Deo Singh Resident of
Village- Gariba, P.S. - Rajauli, District- Nawada.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Deo Raj

For the Opposite Party/s : Mr. Ashok Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

6 29-09-2015 Heard the learned counsel for the petitioner, the

learned counsel for the informant and the learned Additional

Public Prosecutor.

The petitioner seeks bail in a case under Section 364,

302 and other sections of the Indian Penal Code.

Karuna Sagar, the widow of the deceased, made

allegation that her husband received a telephone call and went

thereafter outside the house. The caller was Pappu.

Sri Krishna Prasad Singh, the learned Senior counsel

for the petitioner, submits that there is no direct material against

the petitioner. Narendra Singh confessed his guilt and disclosed

the name of Pankaj @ Pappu. There is nothing on record to show

that the petitioner kidnapped Bipin Kumar, the husband of the

informant. The dead body of the victim was recovered on the basis of confessional statement of Mokhtar Ansari.

On the other hand, the learned counsel for the informant as well as the learned Additional Public Prosecutor opposed the prayer for bail.

On perusal of the records, it appears that the husband of the informant received call on his mobile through mobile No. 8298518151 and he went to the place where he was called by the caller but did not return. During the course of investigation the aforesaid SIM was recovered from the possession of the petitioner. Thereafter, Narendra Kumar Singh was apprehended and he confessed his guilt and immediately thereafter Mokhtar Ansari was also apprehended and confessed his guilt and in pursuance thereof the dead body of the Bipin Kumar was recovered. During the course of investigation it has also come that the SIM was in the name of one Ram Awadhesh Yadav but it transpired that the petitioner was taking Form from the villagers on the pretext of providing them loan and on such application the petitioner as Ajit Kumar got the form filled from Ram Awadhesh Yadav and got the SIM issued in his name keeping the SIM with him. On the call of the petitioner the deceased went but thereafter he did not return. The petitioner was apprehended and at his instance the blood

stained vest, stones etc. were recovered.

Considering the fact that the case is of brutal killing of husband of the informant due to non-payment of ransom, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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