

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39727 of 2014

Arising Out of PS.Case No. -91 Year- 2014 Thana -KASBA District- PURNIA

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1. Md. Ramjan Son of Late Altaf Hussain Resident of Village - Rampur
Nargadha, P.S.- Dumarua, District - Purnea

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shiva Shankar Sharma

For the Opposite Party/s : Mr. Khurshid Anwar(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA
ORAL ORDER

3 16-02-2015 Heard learned counsel for the petitioner and learned
counsel representing the State.

Petitioner seeks bail in connection with Kasba P.S.
Case No. 91 of 2014 registered for the offences punishable under
Sections 302, 201/34 of the Indian Penal Code.

Allegedly, a dead body was found and for that the
case was lodged and on the basis of photograph of the dead body
published in the newspaper, relatives approached the Police and
stated that the dead body was of Pankaj Yadav and that Pankaj
Yadav had loaded maize on tractor and carried to Gulab Bagh for
sale but he did not return. During investigation one co-accused
Md. Taimur was arrested when four accused persons were trying
to hide the tractor in a brick kiln. Md. Taimur stated that the

remaining accused who were succeeded in fleeing away were Ramjan (the petitioner), Tahir and Gaffor. He further confessing his guilt stated the name of the petitioner also regarding his involvement, thereafter, the petitioner also confessed his guilt and further the call details of the mobile numbers of the petitioner and others goes to reveal that they were on talkative terms.

Submission is that the confessional statement made before the Police has got no evidentiary value in the eye of law. The petitioner has voluntarily surrendered and he was taken to Police remand. In the post mortem report the cause of death has been reported as road accident, and as such, the petitioner deserves sympathetic consideration to which the learned APP opposes.

Considering the submissions urged at bar, after going through records, case diary and noticing that there is circumstantial evidence on the record to show the hands of the petitioner in the alleged offence, as such, this Court is not inclined to enlarge him on bail. Accordingly, prayer for bail of the petitioner stands rejected.

(Jitendra Mohan Sharma, J)

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