

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24502 of 2015

Arising Out of PS.Case No. -198 Year- 2014 Thana -WARSALIGANJ District- NAWADA

=====

1. Manoj Kumar S/o Dukhi Mahto Resident of Village Jhour, P.S. Warisaliganj, District Nawada.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad

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

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 21-09-2015 Heard learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in Warsaliganj P.S.Case No. 198 of 2014 instituted under Sections 120(B), 302, 201, 34 of the Indian Penal Code, pending in the court of learned C.J.M., Nawada.

It is alleged that on 24/25.09.2014 at about 1 P.M. the Police Inspector of Moffasil Police Station Nawada checked a car- Alto 800 running without number plate at Warsaliganj crossing. There were six persons in the car and out of them one Manoj Kumar fled away. There was blood like stain inside the dickky of the car. The rest persons were Bhuwan Kumar, Rahul Kumar, Dharmendra Kumar, Sanni Kumar and Matendra Nath. One of the occupants of the car fled away from the spot. The car



was seized and the occupants were arrested. On interrogation by the police it was disclosed by the occupants that they have committed the murder of a person who was of Jharkhand State in a planned manner by cutting his neck with sharp cutting weapons like knife and Kakut because that person was not returning about Rs. 2 lacs of petitioner Manoj Kumar earned through stolen ATM cards and they have thrown his dead body in Sakri river by putting it in a gunny bag.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. It is further submitted that the name of petitioner has come on the basis of confessional statement of co-accused. Except that, there is no direct or indirect evidence against the petitioner.

On behalf of the State, it has been submitted that in the dicky of the car, which was apprehended, blood stain was found and the petitioner had managed to escape. The other co-accused have been apprehended and thereafter they disclosed that they had committed the murder jointly. The dead body was also recovered subsequently.

Considering the aforesaid facts, I am not inclined to grant anticipatory bail to the petitioner and the prayer for grant of anticipatory bail to the petitioner is rejected.

Any how, if the petitioner surrenders in the court below within a period of six weeks and prays for regular bail, same shall be considered on its own merit without being prejudiced by this order of rejection.

(Sudhir Singh, J)

singh/-

U		T	
---	--	---	--