

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16552 of 2015

Arising Out of PS.Case No. -230 Year- 2014 Thana -UCHAKAGAON District- GOPALGANJ

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Jitendra Kumar @ Jitendra Kumar Singh @ Jiten Son of Swaminath Singh,
Resident of Village- Naya Tola (Keratal Pachauri), P.S. Muffasil Siwan,
District - Siwan.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Uday Pratap Singh, Advocate.

For the Opposite Party : Mr. Rajesh Kumar (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

4 12-10-2015 Heard both sides.

The petitioner apprehends his arrest in a case registered for the offences punishable under Section 302 and other Sections of the Indian Penal Code and under Section 27 of the Arms Act.

The petitioner is not named in the FIR. It is submitted that the name of the petitioner figured in the case in the confessional statement of Sanjay Kumar recorded in para-56 of the case diary. Sanjay Kumar is said to have disclosed that he and the petitioner assaulted the deceased with stick, but incised and penetrating wounds were found.

It appears that prior to arrest of Sanjay Kumar the police took the CDR of the mobile of the deceased. It was found that the person who took away the mobile used SIM No.

8002231090 and the same mobile was recovered from the possession of Sanjay Kumar. The mobile was purchased in the name of Dhanwa Devi. Thereafter, Sanjay Kumar confessed his guilt.

Considering the facts aforesaid and the fact that the looted mobile was recovered from the possession of Sanjay Kumar who disclosed as to how he and the petitioner killed the deceased, I am not inclined to enlarge the petitioner above named on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

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