

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7137 of 2016

Arising Out of PS.Case No. -256 Year- 2015 Thana -MAJORGANJ District- SITAMARHI

1. Nandan Kumar Singh Son of Kapildeo Singh Resident of Village-
Kowari Madal, P.S.- Majorganj, District- Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.7325 of 2016

Arising Out of PS.Case No. -256 Year- 2015 Thana -MAJORGANJ District- SITAMARHI

1. Moti Lal Mahto S/o Ramu Mahto Resident of Village- Mejarganj, P.s
Mejarganj, District Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.15143 of 2016

Arising Out of PS.Case No. -256 Year- 2015 Thana -MAJORGANJ District- SITAMARHI

1. Sudhir Kumar Singh @ Sadhu S/o Rajendra Singh R/o Village - Kuari
Madan, P.S. - Majorganj, District - Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.7137 of 2016)

For the Petitioner/s : Mr. Alok Kumar Jha

For the Opposite Party/s : Mr. Surendra Pd.Singh (App)

(In Cr.Misc. No.7325 of 2016)

For the Petitioner/s : Mr. Raj Bansh Dubey

For the Opposite Party/s : Mr. Md.Aslam Ansari(App)

(In Cr.Misc. No.15143 of 2016)

For the Petitioner/s : Mr. Dinesh Jha

For the Opposite Party/s : Mr. Satyavrat Verma(App)

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA
ORAL ORDER**

4 09-05-2016

All the three Criminal Miscellaneous are of the same occurrence and as such have been heard together and are being disposed of by passing this common order.

Heard the learned counsel for the petitioners, the learned A.P.P for the State as also the learned counsel for the Informant.

The petitioners seek bail in a case for the offences punishable under sections 363, 364, 364 A, 302, 201 and 379/34 of the I.P.C

Allegedly, Ritik Kumar @ Jitu was kidnapped and during investigation the name of the petitioners transpired as ransom amount was demanded from the mobile number which was earlier belonging to Priyanka Kumari and that was snatched by Md Sattar and the demand of ransom was made from that mobile. Further, co-accused Bablu Singh, Nandan Kumar Singh, petitioner of Cr. Misc. No. 7137 of 2016 and Sudhir Kumar Singh @ Sadhu, petitioner in Cr. Misc. No. 15143 of 2016 were apprehended and they confessed their guilt as to how Ritik Kumar @ Jitu was killed and his dead body was thrown and on the basis of the clue given by them the dead body was recovered which was

identified by the cloths.

Submission is of false implication and that the alleged confessional statement made before the police has got no evidentiary value in the eye of law, the petitioners have been made victim of the police atrocity, nothing has been recovered from their conscious possession, the name of petitioner Moti Lal Mahto, petitioner in Cr. Misc. No. 7325 of 2016, is neither in the confessional statement of Bablu Singh nor in the confessional statement of Nandan Kumar Singh nor in the confessional statement of Sudhir Kumar Singh @ Sadhu, rather only one witness Surendra Sah has stated the name of the petitioner that the victim was seen going with the petitioner and others, vide paragraph-102 of the case diary.

The learned A.P.P. duly assisted by the learned counsel for the informant opposes prayer for bail by submitting that prayer for bail of co-accused Md. Sattar has already been rejected and all the three petitioners have got their hands in the kidnapping and killing of the deceased.

In the facts and circumstances as stated above, considering the material collected during investigation against the petitioners, at present I am not inclined to enlarge the petitioners on bail and accordingly their such prayer stands rejected in

connection with Majorganj P.S. Case No. 256 of 2015 pending in the court of C.J.M. Sitamarhi.

However, let the trial be expedited and concluded as early as possible preferably within the time given in Cr. Misc. No. 8262 of 2016.

(Jitendra Mohan Sharma, J)

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