

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36928 of 2016

Arising Out of PS.Case No. -65 Year- 2011 Thana -SANGRAMPUR District-
EASTCHAMPARAN(MOTIHARI)

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Dhiraj Pandey @ Durgesh Pandey @ Dhiraj Kumar @ Durgesh Kumar Son
of Ravindra Nath Pandey Residents of Village- Nawada, P.S. Kotwa,
District East Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr Umakant Shukla, Adv.

For the Opposite Party/s : Mr. Ajay Kumar Jha, APP

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA**

ORAL ORDER

4 20-10-2016 Heard Mr. Umakant Shukla learned counsel for the

petitioner as well as learned A.P.P.

The petitioner apprehends his arrest in Sangrampur P.S.
Case No. 65/2011, registered for the offences punishable under
Sections 364, 120B of the Indian Penal Code. Later on, Sections
302 and 201 of the Indian Penal Code were added.

The informant named Sonu Akhtar Khan, Soni Khan and
04 to 05 unknown persons and alleged that they kidnapped his son
Salman Khan and killed him and disposed of his dead body.

Mr. Umakant Shukla learned counsel for the petitioner
submits that petitioner is not named in the F.I.R. The name of the
petitioner figured in the confessional statement of Sonu Akhtar
Khan in para 26 of the case diary. Save and except confessional
statement of the co-accused the police did not collect any tangible

material to show the involvement of the petitioner. Co-accused Soni Khan @ Moni Khan named in the F.I.R. has already been granted bail vide order dated 16.10.2015 passed in Cr. Misc. 29669/2015 on the ground that he was in custody since 31.12.2012.

Learned A.P.P however, vehemently opposed the prayer for anticipatory bail.

On perusal of the records it appears that Aklakh Khan and Seraj Khan in their statements disclosed the name of the petitioner along with other accused persons. Sonu Akhtar Khan was apprehended and he confessed his guilt. Sonu Akhtar Khan disclosed that he killed the deceased with the help of the petitioner and kept the dead body in a field. In pursuance of the confessional statement of Sonu Akhtar Khan the dead body of Salman Khan was recovered. The deceased was killed due to non-fulfillment of ransom amount.

Considering the facts aforesaid and nature of allegation made against the petitioner, 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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