

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12860 of 2016

Arising Out of PS.Case No. -306 Year- 2015 Thana -SAMASTIPUR MUFFASIL District-
SAMASTIPUR

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Sanjeet Kumar Ram S/o Amiri Ram Resident of Village- Satmalpur Bara
Tole (Lila Gachhi), P.S.- Warisnagar, District- Samastipur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Pankaj Kumar, Advocate.

For the Opposite Party : Mr. Nazir Ansari(APP)

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

3 06-05-2016 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with
Samastipur Muffasil P.S. Case No. 306 of 2015 registered for the
offences punishable under Sections 363, 365, 302, 201/34 of the
Indian Penal Code.

Rahul Kumar aged 12 years, the son of informant
was kidnapped and from mobile regarding balance of amount in
the account and about A.T.M. was asked and three mobile
numbers have been given in the First Information Report. During
investigation, on the basis of Call Detail Report, co-accused
Guddu Mahto was apprehended and he confessed his guilt stating
the name of co-accused Ram Babu Kumar and the petitioner and
that they killed Rahul Kumar after strangulating him and on the

basis of disclosure made by three accused persons, skull, bone and shirt of the deceased were recovered and before that the petitioner has also confessed his guilt.

Submission is of false implication and that there is no legal and tangible material, the police after adopting third degree method has got recorded the confessional statement, which has got no evidentiary value in the eye of law, the slipper recovered is of co-accused Ram Babu Kumar and not of the petitioner and as such the petitioner deserves sympathetic consideration to which the learned A.P.P. seriously opposes.

In the facts and circumstances stated above, considering that on the basis of disclosure made by the petitioner and two co-accused from the field of sugarcane skull, bones and shirt of the deceased and slipper of co-accused Ram Babu Kumar were recovered and as such at this stage, I am not inclined to enlarge the petitioner on bail. Accordingly, his such prayer of bail stands rejected.

However, let the trial be expedited and concluded as early as possible preferably within 9 months.

(Jitendra Mohan Sharma, J.)

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