

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25615 of 2016

Arising Out of PS.Case No. -16 Year- 2016 Thana -SAHKUND District- BHAGALPUR

Dablu Singh @ Sonu, Son of Sri Bhopal Pd. Singh, resident of village-
Kelapur Malmal Tola, P.S. Sajour, District- Bhagalpur.

.... Petitioner/s

VERSUS

THE STATE OF BIHAR

.... OPPOSITE PARTY/S

Appearance:

For the Petitioner/s : Mr. Indeshwari Prasad Mandal, Adv.

For the Opposite Party/s : Mr. Sri Dashrath Mehta, APP

CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

3 13-07-2016

Heard learned counsel for the petitioner as well as learned
Additional Public Prosecutor.

Half burnt dead body of an unknown person was located by
the informant, a police personnel whereupon, instant case has been registered
on his self-statement.

As is evident from para-35 of the case diary parents, sister,
brother-in-law and other family members of deceased arrived at the P.S.
where they have seen photographs, apparel of the deceased and identified the
same to be that of Rahul Kumar. Then thereafter, as is evident from para-36
Jhula Devi, mother of deceased had filed written report wherein she had
disclosed that deceased Rahul had gone along with Gautam Singh about three
days ago. At that very time, he had divulge that within 2-3 days he will return
back. When he did not return, then she along with other family members met
with Gautam who shown ignorance. During course of search, they came
across with the newspaper and on the basis thereof, approached the police
station she along with her husband are consistent over the same. Para-40 is
the statement of Dilip Kumar Singh, brother-in-law of deceased who had

apart from others narrated that during course of query, he came to know that Dablu Kumar Singh, Gautam Singh and Rahul Kumar were seen near Karjani. He further disclosed the mobile number of Gautam Singh as 7766804751, Dablu Kumar Singh 9973986491 and deceased Rahul Kumar 9661040643. Furthermore, it is evident from para-51 that those mobile numbers were duly verified from the office of the SSP and para-52, 53 speaks with regard to call details. Para-54,55 of the case diary discloses location wherefrom, it is evident that apart from Karjani, their location also extended up to within the jurisdiction of Sahkund P.S. The petitioner along with Gautam were aggrieved with the deceased Rahul Kumar and the cause is evident from the statement of Anjana Kumari, recorded under para-82 of the case diary, sister of deceased along with them and then thereafter, petitioner was apprehended followed with his inculpatory extra judicial confessional statement recorded under para-97.

So, it is apparent that deceased had left and further, the tower location of deceased along with petitioner and Gautam is found suggesting their companionship which found duly supported from statement of the witnesses including strong motive, consequent thereupon, I do not see it a fit case for grant of bail.

Prayer for bail is rejected.

(Aditya Kumar Trivedi, J)

PN/-

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