

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18223 of 2017

Arising Out of PS.Case No. -653 Year- 2014 Thana -MADHEPURA District- MADHEPURA

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Prince Kumar @ Dablu Yadav, Son of Nand Kishor Yadav, resident of
village - Barsam, Police Station- Sourbazar, District – Saharsa.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

4 30-08-2017 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner seeks bail in connection with Madhepura
P.S. Case No.653 of 2014 registered under Sections 394 and 302
of the Indian Penal Code besides Section 27 of the Arms Act,
pending in the court of the Additional Chief Judicial Magistrate,
Madhepura.

The accusation is that the informant Karmvir Kumar
being the Manager of S.K.S. Micro Finance Company, Madhepura
Branch, moved for distribution of the money to the customers and
also for the recovery of the money collected by the different
Branches with some documents including the bag loading on the



motorcycle. In the way, he called on mobile to Rajiv Ranjan Bharti, who told him that he is reaching at the Branch within 10 minutes. After 10 minutes, when the informant called him again then another person received the call, who informed him that Rajiv Ranjan Bharti has been shot fire. Thereafter, the informant sent some staff to the police station for giving information and he alongwith the cashier Santosh Kumar Poddar proceeded for Balam Gathia and on reaching there, he saw the gathering of the mob and Rajiv Ranjan Bharti lying dead. The motorcycle of Rajiv Ranjan Bharti had fallen there and his bag was missing from there.

Learned counsel appearing on behalf of the petitioner submits that it appears from the F.I.R. that on the basis of the written report of the informant Karmvir Kumar, the present case was instituted under Sections 394 and 302 of the Indian Penal Code besides Section 27 of the Arms Act against three unknown on 10.12.2014. In course of investigation, the police got recorded the confessional statement of the petitioner showing his involvement in the present case. Later on, one bag of Rajiv Ranjan Bharti containing pass-book and two forms of S.K.S. Micro Finance Company was recovered from the house of the petitioner. Further submission is that the alleged bag was not recovered from the conscious possession of the petitioner rather



the same was recovered from the joint house of the petitioner. The petitioner is in custody since 05.05.2015.

On the other hand, learned A.P.P. for the State while opposing the prayer of the petitioner for grant of bail submitted that the petitioner has criminal antecedent and he is accused in nine other cases, as detailed in paragraph-3 to this application. It is further submitted that the bag of the deceased containing pass-book and the two forms was recovered from the house of the petitioner.

Having regard to the facts and the circumstances of the case and the nature of allegation, I am not inclined to grant bail to the petitioner. Accordingly, the prayer of the petitioner for grant of bail stands rejected.

(Rajendra Kumar Mishra, J)

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