

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28397 of 2017

Arising Out of PS.Case No. -62 Year- 2017 Thana -KHAZANIHAT District- PURNIA

=====

1. Ramesh Yadav son of Feku Yadav Resident of Village - Nabaganj, P.S. - Fulkaha, Dist - Araria.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ramesh Kumar Singh

For the Opposite Party/s : Mr. Md. Sufiyan

=====

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL ORDER

3 02-08-2017 Heard learned counsel for the petitioner and learned APP for the State.

Petitioner is languishing in judicial custody since 12.02.2017 in connection with K. Hat (Madhubani) P.S. Case No. 62 of 2017 for offences punishable under Sections 364, 379, and 302/34 of the Indian Penal Code.

The prosecution case, as lodged by the informant, a car owner, bearing Registration No. BR 11Q-3674, is that the deceased Bablu Kumar Goswami was appointed as his driver 3-4 months back. He had gone on the alleged date with car and did



not return.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal antecedent, and he is not named in the FIR and that he has been falsely implicated in this case. It has been submitted that on the basis of confessional statement of co-accused Md. Ekram made before police, his name surfaced, which has no evidentiary value in the eye of law. He further submits that charge-sheet has already been submitted and there is no allegation of tampering with the prosecution evidence.

However, learned APP for the State opposes the prayer for bail stating therein that the petitioner and other co-accused have confessed before the police that they first make friendship with the deceased and thereafter, called him with car and killed him and they are members of the gang who was engaged in stealing and selling the cars to different places. Accused persons have disposed of the dead body in the graveyard and later on body was recovered from the said place.

Considering the facts and circumstances and the materials on record, I am not inclined to grant privilege of bail



to the petitioner at this stage in connection with K. Hat
(Madhubani) P.S. Case No. 62 of 2017 pending in the Court of
learned C.J.M., Purnea.

(Nilu Agrawal, J)

sushma/-

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

