

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46890 of 2018

Arising Out of PS. Case No.-296 Year-2016 Thana- JAHANABAD District- Jehanabad

Prince Kumar @ Nepali, Son of Late Kamal Singh, Resident of Village-
Jhutpali, P.S. + District- Tari, Nepal.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Rajesh Kumar Sharma
For the Opposite Party/s	:	Mr. Sri Ram Naresh Ray
For the State	:	Mr. B.N. Pandey

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 31-10-2018 Heard Mr. Bindhkeshri Kumar, the learned Senior
Counsel appearing on behalf of the petitioner Mr. Prince Kumar
@ Nepali and the learned APP for the State.

Petitioner seeks bail in Jehanabad P.S. Case No. 296
of 2016 giving rise to Sessions Trial No. 76 of 2017 registered
under Sections 302, 301, 120B, 467, 468 and 471 of the Indian
Penal Code and under Section 66 of I.T. Act.

The learned counsel for the petitioner submits that the
prayer for bail of the petitioner was earlier rejected vide order
dated 21.03.2018, passed in Cr. Misc. No.6210 of 2018 by
which the trial was directed to be concluded within nine months
but the trial has not yet been concluded even after lapse of more
than eight months. Similarly situated co-accused, namely, Raja



Goswami @ Raja Kumar Goswami, Manish Kumar, Rahul Kumar @ Fuggi, Hare Ram Yadav and Sangal Swami @ Binay Kumar have already been granted regular bail by different Benches of this court. The name of the petitioner figured in the case in the confessional statement of Raja Goswami. Save and except confession of Raja Kumar Goswami, no further material is collected to show the involvement of the petitioner but on perusal of the record, I find that of course the petitioner is not named in the FIR but it transpired during the course of investigation that the petitioner and others hatched up a conspiracy to snatch money and A.T.M. from the possession of the deceased so that the entire money lying in the account of the deceased may be withdrawn. The petitioner and others called the deceased and confined him in a room after giving him intoxicant but on account of heavy dose of intoxicant, Mantu Kumar died but after all the accused persons burnt his dead body in order to screen out the evidence. One of the accused, namely, Raja Goswami made inculpatory confessional statement under Section 164 Cr.P.C before the Judicial Magistrate. The manner and the way in which Mantu Kumar was killed and his dead body was burnt shows the brevity of the mind of the petitioner and other accused persons.



Considering the facts aforesaid, I am not persuaded to grant bail to the petitioner on the ground that other accused persons have been granted bail. Accordingly, the prayer for bail of the petitioner is rejected.

(Prabhat Kumar Jha, J)

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