

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52446 of 2017

Arising Out of PS.Case No. -34 Year- 2017 Thana -GOVINDPUR District- NAWADA

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Ujwal Ram S/o Ram Lal Ram, R/o Village- Dariyapur, P.S.- Akbarpur,
District- Nawada, (Bihar).

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Verma

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

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 03-01-2018 Heard the learned counsels for the petitioner,

informant and the State.

The petitioner seeks bail in connection with Govindpur P.S. Case No. 34 of 2017 dated 09.04.2017 instituted for the offences under Sections 363, 302 and 201 of the Indian Penal Code.

The daughter of the informant had gone to a Bank to open an account but did not return. Initially, therefore, a case under Section 363 of the Indian Penal Code was instituted at the instance of the father of the deceased. Later, during the course of investigation, it was found out that the deceased had a talk with the petitioner on telephone. On such material having been collected by the investigating agency, the petitioner was arrested and he is said to have made his disclosure that he had killed the deceased with whom he was having an affair. However, it further appears that the dead body of the deceased was never recovered



and on the basis of confession that the deceased was killed and thrown in a jungle, an effort was made by the investigating officer to enquire from the officer-in-charge of the concerned police station within whose territorial jurisdiction such jungle fell, as to whether any dead body was found. The officer-in-charge of the concerned police station had only informed the investigating officer of this case that about two months ago, a dead body of a young female was found hanging in the jungle.

Thus, it has been argued, that the identity of the dead body could not be established and it cannot be said that on the confession of the petitioner, the dead body of the deceased was recovered. The only inference from the CDR of the telephone of the deceased is that the petitioner was in touch with the deceased and nothing more.

The petitioner is in custody since 17.06.2017.

For the facts stated above, the petitioner above named is directed to be released on bail on his furnishing bail bond in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Nawada in connection with Govindpur P.S. Case No. 34 of 2017.

(Ashutosh Kumar, J)

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