

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20429 of 2018

Arising Out of PS.Case No. -2 Year- 2017 Thana -AJIMABAD District- BHOJPUR

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1. Ajit Singh @ Ajit Yadav S/o Satish Kumar Singh, At Kamriya, P.S.-
Azimabad, District- Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar

For the Opposite Party/s : Mr. Md. Ansarul Haque

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 07-05-2018 Heard learned counsel for the petitioner and learned

counsel appearing on behalf of the Informant. Learned Additional

Public Prosecutor for the State is also present.

The petitioner has been in custody since 07.11.2017
in connection with Azimabad P.S. Case No. 02/2017 registered for
the offences punishable under Sections 302, 120(B),34 of the
Indian Penal Code.

Diary in the present case was called for which has
since been received.

Learned counsel for the petitioner submits that save
and except the confessional statement made before the police by
one Vikash Yadav, there is nothing in the entire investigation to
connect the present petitioner with the alleged occurrence. It is
further submitted that the petitioner is not having any criminal



antecedent and has been falsely implicated in the present case.

Learned counsel appearing on behalf of the informant has strongly opposed the prayer for bail on the ground that it is not merely the confessional statement made before the police by the said Vikash Yadav which has brought the petitioner into the peel of prosecution in connection with the present case. It is submitted that the petitioner was in use of mobile phone which had been taken away from Ram Babu and was being consistently used for communicating with the said Vikash Yadav and it has also come in paragraph No. 58 of the case diary that the tower location of the numbers which is stated in paragraph No. 58 was also the same as tower location of the deceased as well as the said Vikash Yadav between 07:00 P.M. to 08:00 P.M. on the date of occurrence. It is thus, submitted that between the said time the petitioner and the deceased and the Vikash Yadav had communicated atleast 40 times with each other before the alleged occurrence. It is on such basis that the petitioner is in custody in connection with the present case.

Learned counsel appearing on behalf of the State also submits that there is ample material in the case diary to connect the petitioner with the present case.

In view of the aforementioned facts and



circumstances of the case, I am not inclined to grant regular bail to this petitioner particularly also because there is a false statement in the petition that the petitioner has no criminal antecedent whereas the diary reveals that the petitioner is having five other cases on his side.

It is accordingly rejected.

(Anjana Mishra, J)

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