

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 12386 of 2019

Arising Out of PS. Case No.-659 Year-2018 Thana- Banka District- Banka

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Ganesh Pandit aged about 35 years Male Son of Jagdish Pandit Resident of
Karhariya, P.S.- Banka, Distt. - Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manoj Kumar Pandey

For the Opposite Party/s : Ms.Indu Kumari Srivastava

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

5. 13-06-2019 Heard Sri Manoj Kumar Pandey, learned counsel for
the petitioner and learned Addl. Public Prosecutor.

The sole petitioner, who is in custody since
30-09-2018, as stated in paragraph – 15 of the petition, in Banka
P.S. Case No. 659 of 2018 registered for offence under Sections
302/34 of the Indian Penal Code, has prayed for grant of bail.

Sri Manoj Kumar Pandey, learned counsel for the
petitioner tried to persuade the Court that petitioner has falsely
been implicated in the present case. He submits that on
confession of one of the lady (accused) namely Ruby Devi, the
petitioner's name has come and thereafter confessional
statement of petitioner was also recorded. He further submits
that save and except confession, there is nothing against the
petitioner showing his complicity in the present case and as



such, he has requested for grant of bail to the petitioner.

Besides hearing, I have also perused the material on record.

Earlier, in this case, case diary was called for, which has been received and kept on record. I have also gone through the case diary, particularly in paragraph 27 (page 9-10), paragraph 35 (page 12-13) and paragraphs 27 & 28 (at page 14), there are specific materials showing involvement of the petitioner and during investigation, the complicity of the petitioner has been surfaced, since this petitioner was earlier having illicit relation with co-accused Ruby Devi, with whom deceased had also developed relationship, and this was the reason that the petitioner, conspiring with Ruby Devi, had eliminated the deceased, while he (deceased) was sleeping in the premises of a temple. The petitioner has also made confession leading to recovery of axe, through which, the son of informant was done to death. There is no reason for granting bail.

The bail petition stands dismissed.

(Rakesh Kumar, J.)

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