

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3377 of 2019**

Arising Out of PS. Case No.-14 Year-2019 Thana- BARIYARPUR District- Munger

Ravi Kumar @ Manish S/o Lakin Mandal R/o village- Ghorghat, P.S.-
Bariyarpur, District- Munger.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Yogesh Chandra Verma, Sr. Advocate with
Mr. Satish Chandra and
Mrs. Arpana Kumari, Advocates

For the State : Mr. Sadanand Paswan, Spl. P.P.

For the Informant : Mrs. Pushpa Sinha with
Mr. Rikesh Sinha, Advocates

**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT**

Date : 27-11-2019

Heard learned counsel for the appellant; learned
Special PP for the State and learned counsel for the informant,
who has *suo motu* appeared.

2. The appellant seeks bail in Bariyarpur PS Case
No. 14 of 2019 dated 02.02.2019 instituted under Sections
302/37 of the Indian Penal Code; 27 of the Arms Act and 3(1)
(r)/3(2)(v) of the Scheduled Castes and the Scheduled Tribes
(Prevention of Atrocities) Act, 1989.

3. The allegation against the appellant is of killing
the son of the informant.



4. Learned counsel for the appellant submitted that he is not named in the FIR and later on he has been implicated only on the basis of surmises and suspicion. It was submitted that nobody has seen the appellant committing the crime and even the basis of his implication is on information which has not been disclosed. Learned counsel submitted that the so called confession is before the police which has got no evidenciary value. It was further submitted that the appellant is in custody since 25.02.2019.

5. Learned Special PP and learned counsel for the informant submitted that during investigation, the police has found sufficient evidence to prove the crime against the appellant. It was submitted that on the basis of information provided by the appellant, the gun used for killing the deceased and his mobile phone had been recovered from him. It was submitted that on the date of occurrence, between 9-10 PM four phone calls were made on the mobile of the deceased by the appellant which itself indicates that he is directly involved in the murder. It was also submitted that it has come during investigation that a widow was alleged to have had a relationship with the deceased and with whom the appellant had earlier had relationship and thus to remove the deceased, such



incident has taken place which stands proved by the sequence of events and disclosure made in the confessional statement. It was further submitted that trial has begun and out of nine prosecution witnesses, four have already been examined.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, the Court is not inclined to enlarge the appellant on bail.

7. Accordingly, the application stands dismissed.

(Ahsanuddin Amanullah, J)

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