

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54976 of 2019

Arising Out of PS. Case No.-40 Year-2019 Thana- PURAINI District- Madhepura

1. SULEKHA DEVI Wife of Jai Prakash Ram, Resident of Village - Rampur Dehru, P.S.- Bihariganj, District - Madhepura
2. Jai Prakash Ram Son of Wakil Ram, Resident of Village - Rampur Dehru, P.S.- Bihariganj, District - Madhepura
3. Wakil Ram Son of Late Mahadeo Ram, Resident of Village - Rampur Dehru, P.S.- Bihariganj, District - Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dr. Sanjay Kumar Singh
For the Opposite Party/s : Mr.Surendra Prasad Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 16-11-2019 Heard both sides.

Petitioners apprehend their arrest in Puraini P.S. Case No.40 of 2019 registered under Sections 364A and 34 of the Indian Penal Code. Later on sections 302, 201 and 120B of the I.P.C. were added.

The informant alleged that her husband (Kapildeo Singh) went to the shop of Mukesh Kedia on his motorcycle but he did not return. During course of search, the informant found the motorcycle of her husband parked in front of the house of Bito Pandit. She further disclosed that about a month ago the buffalo of Nirnanjan Yadav grazed the maize crop of the



informant and the buffalo of Niranjana Yadav died. A panchayati was held and Niranjana Yadav asked the husband of the informant to pay the price of buffalo. When the husband of the informant did not pay, Niranjana Yadav threatened him to face dire consequences.

Learned counsel for the petitioners submits that the petitioners are not named in the F.I.R. During course of investigation, the names of the petitioners surfaced in the case in the confessional statement of co-accused Manoj Ram. Manoj Ram in his confession disclosed that he called Kapildeo Singh on his mobile. When Kapildeo Singh came at canal, Binod Malakar assaulted him on his head from behind and Kapildeo Singh became unconscious. Thereafter Manoj Ram, Binod Malakar, Jai Prakash Ram (petitioner no.2) and others brought him and kept him inside the house. Ransom was also made from the mobile of Kapildeo Singh on the mobile of the informant. Later on, Kapildeo Singh was killed by the accused persons. Mobile of Kapildeo Singh was also recovered from the house of Manoj Ram and the dead body of Kapildeo Singh was also recovered on the disclosure made by Binod Malakar.

It appears that it is a case of kidnapping for ransom and murder. Co-accused Manoj Ram and Binod Malakar



confessed their guilt disclosing the names of the petitioners that they also participated in killing Kapildeo Singh.

Having considered the facts aforesaid and the nature of allegation made against the petitioners, I am not inclined to enlarge the petitioners on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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