

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4348 of 2020

Arising Out of PS. Case No.-308 Year-2019 Thana- KUDRA District- Kaimur (Bhabua)

Ramjatan Bind, aged about 19 years, Male, Son of Dhurahu Bind, R/o Village
Amaon, P.S. Chainpur, District Kaimur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Alok Kumar Jha, Advocate
For the State	:	Mr. B.N. Pandey, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

6 17-06-2020 Heard Mr. Alok Kumar Jha, the learned counsel for
the petitioner and Mr. B.N. Pandey, the learned Additional P.P.
through video conferencing.

The petitioner seeks bail in Kudra P.S. Case No.308 of
2019, registered under Sections 279 and 304(A) of the Indian
Penal Code. Later on, Section 302, 201, 392, 411, 328 and 34 of
the Indian Penal Code were added vide order dated 20.11.2019.

The Chowkidar, informant of the case, disclosed that
he found one dead body of an unknown person who was
crushed to death by a four wheeler. The informant further
disclosed that while he was trying to identify the dead body, Md.
Yusuf, A.S.I. of Kudra P.S. came on the spot along with other
police officials.

Learned counsel for the petitioner submits that during



the course of investigation, the father of the deceased, Prem Kumar disclosed that his son was having mobile bearing EMIE Number. On the basis of such, the petitioner Ramjatan Bind was apprehended and the mobile of the deceased was found in his possession. Ramjatan Bind disclosed that he purchased the mobile from Pintu Keshri on payment of Rs.4000/-. The police thereafter arrested Pintu Keshri who is said to have disclosed before the police in his confessional statement that he along with Shyam Narayan Bind and Rajan Keshri persuaded Prem Kumar the deceased to board his vehicle and on way to Dehri they took tea. Pintu Keshri further disclosed that he mixed some addictive substance in the tea of the deceased and thereafter the deceased was thrown on the road and he ran over the vehicle over the body of the deceased causing his death on the spot. Pintu Keshri further disclosed that he sold the mobile to Ramjatan Bind. The petitioner is not present at the place of occurrence. Pintu Keshri also disclosed that some ornaments taken out from the deceased were sold to Pradeep Seth. Pradeep Seth has already been enlarged on bail. There is nothing on record to show that the petitioner was accompanying Pintu Keshri in his vehicle at the time of running over the vehicle over the body of the deceased, Prem Kumar after being intoxicated



causing his death on the spot.

Mr. B.N. Pandey, the learned Additional P.P. did not dispute the facts. The learned Additional P.P. submits that the confessional statement of Pintu Keshri has not been incorporated in the case diary. The supervising authority has referred to the confessional statement of Pintu Keshri and from the case diary, it appears that there is only allegation against the petitioner that he purchased the mobile of the deceased from Pintu Keshri after paying Rs.4000/- but there is nothing on record to show that the petitioner was accompanying Pintu Keshri and other accused persons who are alleged to have run over the vehicle and killed Prem Kumar in order to show that Prem Kumar died in a road accident. It is also submitted that on the confession of Pintu Keshri, the vehicle was also recovered.

Considering the facts that there appears only material that the petitioner purchased the mobile of the deceased from Pintu Keshri who is said to have confessed that he along with two others, namely, Shyam Narayan Bind and Rajan Keshri threw Prem Kumar on the road and crushed under wheel of his vehicle after snatching all his belongings, I find that the petitioner deserves bail.

Having considered the facts aforesaid, petitioner,



namely, Ramjatan Bind is directed to be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Kaimur at Bhabua in connection with Kudra P.S. Case No.308 of 2019.

(Prabhat Kumar Jha, J)

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