

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13904 of 2020

Arising Out of PS. Case No.-208 Year-2019 Thana- JANDAHA District- Vaishali

Abhishek Kumar, aged about 22 years, Gender – Male, Son of Manoj Rai,
Resident of Mohalla - Hathrarganj, P.S.- Hazipur Town, District - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok, Advocate

For the Opposite Party/s : Mr.Bal Mukund Prasad Sinha

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 06-07-2020 Heard the parties through the virtual court proceeding.

The petitioner seeks bail in connection with Jandaha
P.S. Case No. 208 of 2019 registered for the offences punishable
under Sections 302/34 of the Indian Penal Code and Sections 27
of the Arms Act.

From the fardbyan of Randhir Kumar, it has been
alleged that he has two brothers. The deceased Sunil Kumar,
aged about 18 years was younger to him who used to study at
Jamuni Lal College in the intermediate. His brother, in the year
2018 in the month of April, had a love affair with daughter of
Santosh Mahto and went to Punjab and get married with her.
Santosh Mahto, the father of the girl registered a criminal case
against his brother. His brother and girl had been recovered by
the town police station from Punjab. That time Santosh Mahto



threatened his brother that he will be killed. Ramu Sahni on a pretext told him that sand is to be delivered and told him to come to Jandaha. The said Ram Sahani, Santosh Mahto, Brij Das took his brother to a place between Dhandua and Bahshi Chauk near Degura Pul P.S. Jandaha and shot him dead.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. His name came on the basis of the confessional statement made by him. He was arrested in Jandaha P.S. Case No.213 of 2019 and his confessional statement was recorded by the police. He disclosed that he along with his friends committed the murder of the deceased. Learned counsel for the petitioner further submits that the petitioner is not named in the F.I.R. From his confessional statement, the petitioner has been made accused in the present case.

Learned A.P.P. for the State has opposed the prayer for bail and submits that there is sufficient material against the accused persons including the petitioner in the case diary.

In the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail. Accordingly, the prayer for bail of the petitioner in connection with Jandaha P.S. Case No.208 of 2019 is hereby rejected. However, the petitioner may



renew his prayer for bail after framing of charge.

(Anjani Kumar Sharan, J)

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