

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25067 of 2020

Arising Out of PS. Case No.-10 Year-2020 Thana- RANIYATALAB District- Patna

SANJEEV KUMAR @ PANDIT, aged about 38 years, Male, S/o Late Manoj Sharma, Resident of Village Kab, P.O. + P.S. Ranitalab, District Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Nand Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 19-10-2020 Heard Mr. Sanjay Kumar Pandey, learned counsel for the petitioner and Mr. Nand Kishore Prasad, learned Additional P.P. through video conferencing.

The petitioner seeks bail in Rani Talab P.S. Case No.10 of 2020, registered under Sections 302/34 of the Indian Penal Code.

The informant alleged that his youngest son, Sudhir Kumar did not return in the night. During the course of search, he rang his son, but his son did not respond. During the course of search, the dead body of his son was found in the field of Mritunjay Kumar @ Bajrang Singh.

Learned counsel for the petitioner submits that there is no eye witness of the occurrence. For the first time, Jitendra Singh, the uncle of the deceased, named the petitioner and four others, namely, Bablu Kumar, Deepak Kumar, Divyanshu and Ravi Kumar and suspected that they might have committed the murder of his nephew. The police did not collect any tangible evidence. The police arrested the petitioner and took the



confessional statement of the petitioner. The petitioner never confessed his guilt. He was forced to put signature on the so called confessional statement. The confessional statement taken by the police has got no evidentiary value. The Investigating Officer did not collect even any other tangible material to show the involvement of the petitioner in the murder of the son of the informant.

Having regard to the facts that during the course of investigation, the uncle of the deceased suspected the hand of the petitioner and four others that too after many days of the occurrence and thereafter the police completed the formalities by extracting the confessional statement of the petitioner, but the Investigating Officer did not collect any other tangible material to show the involvement of the petitioner in the murder of the son of the informant, petitioner, namely, Sanjeev Kumar @ Pandit is directed to be released 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 Judicial Magistrate, 1st Class, Danapur in connection with Rani Talab P.S. Case No.10 of 2020.

(Prabhat Kumar Jha, J)

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