

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.25672 of 2019**

Arising Out of PS. Case No.-50 Year-2018 Thana- BARHAT District- Jamui

Janki Das, aged about 50 years, Male, Son of Late Lakha Das, Resident of Mohanpur, P.S-Laxmipur, District-Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Satya Prakash Parasar

For the Opposite Party/s : Mr.Harendra Prasad

**CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY**  
**ORAL ORDER**

10    12-10-2020                      Heard learned counsel for the petitioner and learned counsel for the State.

In this case, the petitioner is seeking bail in connection with Barhat P.S. Case No. 50 of 2018 registered for offences under sections 302/201/34 of the Indian Penal Code.

In the present case, an unidentified headless body was found lying in the field. Later on, the deceased was recognized by the brother of the Informant. He identified the body, whereafter, the police has started the investigation.

During investigation, the name of the petitioner has transpired, whereafter, the police has raided the house of the petitioner. In paragraph no.40 of the Case Diary, a sharp knife smeared with blood was recovered beneath his cot, hereafter, his confessional statement was recorded in paragraph no.43 of the Case Diary and, on his statement, a chopped head of human being,



rapped with scarf, was recovered from the bush.

Learned counsel for the petitioner submits that the head of the human being has not been identified by any of the family members. He has also submitted that the forensic examination with regard to the bloodstained knife has not been done to identify the blood stain with the victim. He has also submitted that two co-accused persons, namely, Ajay Das and Kailash Das have been granted bail by this Court vide order dated 25.9.2018 passed in Cr. Misc. No. 43572 of 2018 who have also been alleged to have been involved in the commission of crime but, in the present case, this Court finds that there is a recovery of smeared knife as well as there is a confessional statement made by the petitioner led to recovery of the chopped head of the victim.

Looking to the entirety of the matter as also considering the entire facts and circumstances of the case, this Court is not inclined to grant bail to the petitioner.

Accordingly, the prayer for bail of the petitioner, above named, is rejected with a direction to the court below to expedite the trial.

**(Shivaji Pandey, J)**

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