

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30260 of 2020**

Arising Out of PS. Case No.-20 Year-2020 Thana- JAGDISHPUR District- Bhojpur

NEETU KUMAR YADAV @ NEETU YADAV Son of Umashankar Singh
Resident of Village- Bhatwa Dihari, P.O.- Shivpur, P.S.- Dhangai, District-
Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Rajendra Nath Jha, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER**

4 23-12-2020 The learned counsel for the parties were heard at length
on 21.12.2020 and the present case has been listed 'For Orders'
today.

The petitioner seeks regular bail in connection with
Jagdishpur P.S. Case No. 20 of 2020 for the offence registered
under Sections 302, 201/34 of the Indian Penal Code.

The present case has been registered on the basis of
the fardbeyan of the Choukidar of the village, who has stated
that while he was on tour of his area he got information that
under the bridge situated over Duloura river a dead body of an
unknown person is lying, whereafter he had reached at the said
place of occurrence and found that a dead body of an unknown
person was lying there and it appeared that at some other place



the said person has been killed by knife and then the dead body has been thrown from the bridge into the river.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case, is having a clean antecedent and he is languishing in custody since 17.03.2020. The learned counsel for the petitioner has further submitted that the petitioner is not an FIR named accused person and except his confessional statement, there is no evidence on record to suggest the complicity of the petitioner in the alleged crime, and in any view of the matter, the said confessional statement has got no evidentiary value in the eyes of law.

Per contra, the learned counsel for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available in the case dairy, more particularly the detailed supervision note, this Court finds that ample evidence has been collected so as to prima facie prove the complicity of the petitioner in the alleged crime, who is stated to be a member of the gang which is engaged in intercepting trucks on the highway and committing



loot and during the course thereof the petitioner along with other accused persons had abducted the driver of the truck in question, killed him and had then looted the truck loaded with refine oil, however, on account of strict police vigil and checking, the petitioner had abandoned the truck on the road and fled away. Thus, I find that the complicity of the petitioner in the alleged crime is writ large on the records, hence I do not find the present case to be a fit case for grant of bail, hence the present petition stands dismissed.

(Mohit Kumar Shah, J)

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