

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83667 of 2019

Arising Out of PS. Case No.-57 Year-2019 Thana- BAGHA District- West Champaran

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Suman Kumar Son of Harichand Chaudhary Resident of Village-Bagahi
Nimiya Tola, P.S.-Bairiya, District-West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prithvi Nath Mishra

For the Opposite Party/s : Mr. Anuj Kumar Shrivastava, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

3 17-03-2020 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in connection with Bagaha
P.S. Case No. 57 of 2019 registered under Sections 364 and
302/34 of the Indian Penal Code.

It is submitted by the learned counsel for the
petitioner that save and except the confessional statement of
co-accused Bablu Kumar, there is no other material to connect
the petitioner with the alleged offence. According to him, even
as per the confessional statement of Bablu Kumar, it was
co-accused Dinesh Chaudhary, who had tightened the plastic
rope around the neck of the victim Munesh Kumar Verma and
also inflicted an injury on his neck, as a result of which, he died.
So far as the petitioner is concerned, there is no material in the



statement of Bablu Kumar that in any manner, he also participated in the occurrence.

Per contra, learned counsel appearing for the State submitted that in a deep-rooted conspiracy, the deceased Munesh Kumar Verma was called by co-accused Dinesh Chaudhary and was subsequently killed. He contended that the confessional statement of Bablu Kumar would further reflect that the idea of abducting the deceased was floated by the petitioner Suman Kumar and he was also present along with co-accused Bablu Kumar and Dinesh Chaudhary at the time of commission of offence.

Regard being had to the gravity of the offence and the materials collected in course of investigation, I am not inclined to grant bail to the petitioner for the present. The prayer for bail is rejected.

(Ashwani Kumar Singh, J)

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