

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28245 of 2020**

Arising Out of PS. Case No.-310 Year-2018 Thana- JANDAHA District- Vaishali

DEEPAK KUMAR @ DOCTOR Son of Vilium Kumar Raut Resident of
Village - Hashanpur Bhatwan, P.S.- Hashanpur, District - Samastipur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vasant Vikas, Adv.

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

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER**

7 08-01-2021 Heard both sides.

The petitioner seeks bail in Jandaha P.S. Case No.310 of 2018 registered under Sections 147, 148, 149, 302, 307, 326, 384 of the Indian Penal Code, Section 27 of the Arms Act, Section 3 of the Explosives Act and under Sections 13, 16, 19, 20 of the Unlawful Activities Prevention Act.

Learned counsel for the petitioner submits that petitioner is not named in the F.I.R. The name of the petitioner surfaced in the case in the confessional statement of Ritu Devi. Save and except the confession, there is no material to show the involvement of the petitioner. Many other accused persons have already been granted bail but the learned A.P.P. opposed the prayer for bail and submits that petitioner is an active member of extremists' organisation. It has come during the course of



investigation that the petitioner and others committed the murder of Rishikesh Jha when Rishikesh Jha refused to pay extortion. His brother Bhushan Jha and uncle Umakant Jha were injured in the firing made by the accused persons. During the course of investigation, it has come that while the accused persons committed murder of Rishikesh Jha, Ramesh Jha and Ranjit Kumar Singh identified the accused persons and thereafter all the members of the gang kidnapped Ramesh Jha and Ranjit Kumar Singh. They killed them and concealed the dead bodies in the field. On the confession, their dead bodies were recovered. The C.D.R. of the mobiles of the accused persons shows the movement of the accused persons from the place of occurrence to the place where dead bodies were recovered and their routes were following from the place of occurrence.

Taking into consideration the facts aforesaid and nature of offence committed by the petitioner and the fact that the petitioner has got criminal antecedent, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected.

The trial court is directed to hold the trial on day to day basis and conclude the same within nine months from the date of receipt of this order.



The S.P. Vaishali is directed to ensure the attendance of the witnesses so that the trial must be concluded within nine months.

If the trial is not concluded within nine months, the petitioner may renew his prayer for bail.

Let a copy of this order be sent to the trial court as well as S.P., Vaishali for information and needful.

(Prabhat Kumar Jha, J)

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