

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 32234 of 2020

Arising Out of PS Case No.-82 Year-2020 Thana- DIGHA District- Patna

Parmeshwar Kumar, aged about 28 years, Son of Late Ram Bachhan Rai,
Resident of- Digha, Patipool, PS- Digha, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Uday Pratap Singh, Advocate
For the State	:	Mr. Akshay Lal Pandit, APP

**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH**

ORAL JUDGMENT

Date : 03-02-2021

The matter has been heard *via* video conferencing.

2. Heard Mr. Uday Pratap Singh, learned counsel for the petitioner and Mr. Akshay Lal Pandit, learned Additional Public Prosecutor (hereinafter referred to as the 'APP') for the State.

3. The petitioner is in custody in connection with Digha (Patna) PS Case No. 82 of 2020 dated 13.02.2020, instituted under Sections 302/34 of the Indian Penal Code and 27 of the Arms Act, 1959.

4. The allegation against the petitioner, though not named in the FIR, is of being involved in killing of the son of the informant.

5. Learned counsel for the petitioner submitted that he is innocent and has no connection with the crime and has been made an accused only in the confessional statement of co-accused



Santosh Kumar, who had fired on the deceased, but there is no link between the petitioner and the said Santosh Kumar. It was submitted that Santosh Kumar is on inimical terms with the petitioner as he had ordered supply of building material from the shop of the petitioner and had not paid Rs. 1,10,000/-, for which there was hot talk on telephone between the two. Learned counsel submitted that the petitioner is not the assailant and is in custody since 18.02.2020.

6. Learned APP, from the case diary, submitted that co-accused, Santosh Kumar, who has been identified on the CCTV has stated that it was the petitioner who had promised to pay Rs. 4 lakhs for killing the deceased. It was submitted that witnesses have also supported such allegation.

7. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, the Court is not inclined to enlarge the petitioner on bail, for the present.

8. Accordingly, the application stands dismissed.

(Ahsanuddin Amanullah, J.)

P. Kumar

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