

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.36529 of 2020**

Arising Out of PS. Case No.-16 Year-2020 Thana- BARHAT District- Jamui

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Durga Marandi Son Of Madan Maerandi Resident Of Village - Jumkuliya,
P.S. - Barhat, District - Jamui

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Pankaj Kumar Sinha, Advocate

For the Opposite Party/s : Mr.Choubey Jawahar, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

4 09-07-2021 Heard learned counsel for the petitioner and Mr.

Choubey Jawahar, learned A.P.P. of the State.

Petitioner, in the present case, is seeking regular bail
in connection with Barhat P.S. Case No. 16/2020 registered for
the offence under Section 36, 364(A)/302/201/34 of the Indian
Penal Code, pending in the court of Sri Manish, J.M.- 1st Class,
Jamui.

Learned counsel for the petitioner submits that
petitioner has been falsely implicated in the present case and
that the informant does not dispute any kind of injury.
According to learned counsel for the petitioner, all the accused
persons including the deceased Balmiki Thakur working on the
tractor of the informant and they were illegally carrying stones
chips and in course of the said work Balmiki Thakur received



injury and died. Learned counsel, as a last effort, submitted that there is a contradiction in the statement recorded in the fardbeyan and the statement of the informant under Section 164 Cr.P.C.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner. It is submitted that this petitioner has actively participated in the abduction of the informant and the deceased. The informant has narrated the entire story which has come in front of him as an eye witness. In paragraph '8' of the case diary the confessional statement of the petitioner has been recorded which led to recovery of the dead body of Balmiki Thakur.

Learned A.P.P. therefore submits that considering the gravity of the offences and the materials on the record the petitioner does not deserve privilege of regular bail.

Considering the facts and circumstances of the case wherein there are sufficient materials indicating that petitioner had actively participated in the abduction of the informant and the deceased and then there is a specific allegation that this petitioner had gone to receive the ransom amount from the owner of the Tractor and one of the persons namely Balmiki Thakur was assaulted by the two persons which led to his death



and the dead body has been recovered on the basis of the confessional statement of the petitioner, in the nature of the occurrence and the materials before this court, this Court is not inclined to release the petitioner on bail.

Prayer for regular bail of the petitioner is, thus, refused.

Let the trial be expedited.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

