

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5997 of 2021

Arising Out of PS. Case No.-447 Year-2020 Thana- SUPAUL District- Supaul

Jitendra Kumar Yadav Son Of Lakshmi Prasad Yadav Resident Of Village-
Mungrar, P.S.- Supaul, Distt- Supaul.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ravindra Narayan, Sr. Adv.
	:	Mr. Arvind Prasad Singh
For the Opposite Party/s	:	Mr. Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 27-08-2021 Heard learned senior counsel for the petitioner and learned
A.P.P. for the State through virtual court proceeding.

Learned senior counsel for the petitioner undertakes to remove the defects within four weeks of resumption of normal court proceeding. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioner seeks bail in connection with Supaul P.S. Case No. 447 of 2020 registered for the offence punishable under Sections 364 and 34 of the Indian Penal Code.

As per the prosecution case, It is alleged that on 23.06.2020 informant was slept on chouki with his son and to attend phone call his son went out of the house and since then his son is not traceable, therefore, informant has alleged that he has suspicion that petitioner has kidnapped his son and murdered with unknown person.

It is submitted by learned counsel for the petitioner that petitioner has falsely been implicated in this case and has not



committed any offence as alleged in the FIR. No such occurrence as alleged ever took place. He submits that petitioner is not named in the F.I.R. but during the course of investigation the police has arrested the petitioner only on suspicion and assaulted him thereafter, police has taken his signature on blank papers. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. The petitioner has no criminal antecedent and he is languishing in custody since 29.06.2020.

Learned APP for the State vehemently opposing the bail petition submitted that on the confessional statement of co-accused slippers and cloths are recovered from the bank of *kosi* river which belongs to the deceased.

In the facts and circumstances of the case and considering the fact aforesaid, I am not inclined to grant privilege of bail to the petitioner in connection with Supaul P.S. Case No. 447 of 2020 to the satisfaction of learned C.J.M., Supaul.

Accordingly, the prayer for bail of the petitioner is hereby rejected.

However, petitioner is directed to renew his prayer for bail **after framing of charge.**

(Anjani Kumar Sharan, J)

GAURAV S./-

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