

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29654 of 2021

Arising Out of PS. Case No.-498 Year-2020 Thana- BETTIAH CITY District- West
Champaran

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Sachin Kumar @ Ritik Kumar Son Of Sri Ajay Dubey Resident Of Village-
Uttarwari Pokhra, Mjk Nagar, Pakki Fulwari, P.S.- Bettiah Town (Kalibag
O.P.), District- West Champaran.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. N. K. Agrawal- Sr. Advocate Mr. Umesh Chandra Verma- Advocate
For the State	:	Ms. Rina Sinha- A.P.P.
For the Informant	:	Mr. Akhileshwar Kumar Shrivastava- Advocate

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 31-01-2022 Heard learned senior counsel for the petitioner,

learned counsel for the informant and learned APP for the State

through video conferencing.

The petitioner seeks bail in connection with Bettiah
Town P. S. Case No.498 of 2020, instituted for the offences
under Sections 364, 365, 386, 302, 201, 120-B/ 34 of the Indian
Penal Code.

The learned senior counsel for the petitioner submits
that the petitioner is in custody since 08.09.2020 and charge-
sheet has been submitted in the case.

The learned senior counsel for the petitioner submits
that in the F.I.R., it is alleged that the informant along with her
son Wajaifa Wasim were going to station chowk on 18.08.2020,



when this petitioner along with five named accused persons and 5-6 unknown persons armed with knife and other weapons surrounded them. It is further alleged that Bholi Kumar and Ratnesh Mishra forcibly abducted her son on the motorcycle on which they were going after pushing the informant and on 19.08.2020, the dead body of the son of the informant was recovered from the plot of Arun Kumar.

The learned senior counsel for the petitioner submits that the petitioner has been falsely implicated for killing a person. Knife is hardly used and is not a weapon of the kind which would be used for committing murder when it is alleged that on a busy road, the victim was abducted. The learned senior counsel further submits that petitioner has been implicated merely because he has antecedents of seven cases as stated in Para-3 of the bail petition.

The learned counsel for the informant vehemently opposes the bail application and submits that the petitioner is a veteran criminal and during the course of investigation, his confessional statement was recorded at Para-131 of the case diary where he had given a vivid description of the heinous occurrence. The learned counsel submits that this petitioner described how he along with Brajesh, Bholi and Ratnesh killed



the victim by stabbing repeatedly. The learned counsel further submits that Para-136 of the case diary records that the knife was recovered at the instance of the petitioner, which was used in the crime. The learned counsel further submits that the post mortem reveals that 84 injuries were found on the body of the deceased. Thus, the learned counsel for the petitioner submits that the manner in which the occurrence was committed and the number of injuries found on the body of the deceased gets corroborated by the statement of the petitioner before the police which is so vivid in its description.

The learned A.P.P. for the State opposes the bail application and concurs with the submission of the learned counsel for the informant.

Considering the submission made by the learned counsel for the informant and the learned A.P.P. for the State, the Court is not inclined to grant bail to the petitioner.

Accordingly, prayer for bail of the petitioner stands rejected.

(Satyavrat Verma, J)

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