

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19243 of 2022

Arising Out of PS. Case No.-175 Year-2021 Thana- DEEPNAGAR District- Nalanda

Bheem Kumar @ Rajiv Kumar Son of Garivan Paswan Resident of Village-
Jamalichak, P.S.- Deepnagar, District- Nalanda.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Indu Bhushan, Advocate

For the Opposite Party/s : Mr.Raj Kishore Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 29-07-2022 Heard learned counsel for the petitioner and learned
APP for the State in Virtual Court Proceeding.

Let the defect(s), if any, as pointed out by the
office, be removed within four weeks.

The present case arises out of Deepnagar P.S. Case
No. 175 of 2021 corresponding to POCSO Case No. 3217 of
2021 under sections 366(A)/34/302/201, 379, 420, 364,
376(8)/120B of the Indian Penal Code and Section 6 of the
POCSO Act.

The allegation in the FIR is that the informant's 17
years daughter went missing on 9.6.2021 and it was also found
that the box in the house has been broken and Rs. 2,75000/- in
cash as also gold ornaments were missing. The informant gave
the name of accused Manish Kumar who used to talk with his



daughter, when he visited his home, the said accused tried to flee away but was apprehended with the help of villagers. Accordingly, as he failed to get any information from him, this FIR was lodged.

Later, upon interrogation, the name of other accused persons including the petitioner herein cropped up and on the basis of CDR and CAF of the mobile number of the victim and other accuseds it was found that the co-accused Mukesh Kumar was in regular touch with the other accused persons from the day the victim girl was disappeared. Later, the accused Mukesh Kumar confessed that the victim girl has been murdered, it was put in a bag and the body was thrown in a well. On the basis of said confession of accused Mukesh Kumar as also Shambhu Kumar, the police recovered highly decomposed body of the victim from the well and the iron cutting blade from which it is stated that the victim's neck was slit by the accused persons, beside the lady purse which belonged to the victim.

The further allegation against the accused persons is of gang rape before the neck was slit and dead body was thrown in the well.

Taking into account the allegation of heinous crime



that has come during the course of investigation against the accused persons including the petitioner herein, this Court is not inclined to grant any relief to the petitioner and the bail application is hereby rejected.

(Rajiv Roy, J)

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