

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.37370 of 2021**

Arising Out of PS. Case No.-259 Year-2020 Thana- ALAMNAGAR District- Madhepura

Navin Kumar S/O Naresh Singh R/O Village- Gangapur Kachhri (kachari),
Ward No. 04, P.S.- Alamnagar (ratwara O.P.), District- Madhepura

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Vikram Deo Singh, Advocate

For the Opposite Party/s : Mr. Arun Kumar Pandey, APP

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

4 08-02-2022 Learned counsel for the petitioner undertakes to remove all the defects pointed out by the Stamp Reporter within four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr. Arun Kumar Pandey, learned APP for the State.

The petitioner in the present case is seeking regular bail in connection with Alamnagar P.S. Case No. 259 of 2020 registered for the offences punishable under Sections 363, 365 of the Indian Penal Code and later on Sections 302, 120B, 34 of the Indian Penal Code have been added. He has no criminal antecedent and he is in custody since 06.01.2021.

Mr. Vikram Deo Singh, learned counsel for the petitioner submits that in this case the petitioner is not named in the FIR, the two boys who had come and taken away the victim



boy are not named, however, in course of investigation of this case, the petitioner was arrested and his confessional statement was recorded, still in his confessional statement he has not disclosed the place from where the dead body has been allegedly recovered.

Learned counsel further submits that the petitioner was sent in judicial custody on 06.01.2021 but the dead body has been recovered on the subsequent date i.e. 07.01.2021.

On the other hand, learned APP for the State has opposed the prayer for bail of the petitioner. He has read out certain paragraphs of the case diary. A counter affidavit in this case has also been filed on behalf of the Superintendent of Police and it has been brought to the notice of this Court that in course of investigation, there are witnesses who have come forward to say that they had seen the victim boy in the company of this petitioner.

Learned APP has further pointed out the manner of occurrence and that the dead body was firstly buried at a particular place and then it was shifted to another place. The CDR of the mobile phone of the victim disclosed that calls were received from the mobile phone of this petitioner at the relevant time.



Considering the entire facts and circumstances, the seriousness of the offence in which a young boy of 23 years has been murdered, the complicity of the petitioner has been shown by connecting him on the basis of the CDR analysis as well as the vicinity of the place which he had disclosed in his confessional statement where the dead body was buried at the first instance, this Court is not inclined to release the petitioner.

The prayer for regular bail of the petitioner is, thus, refused.

The application stands dismissed.

(Rajeev Ranjan Prasad, J)

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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'.

