

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42157 of 2021

Arising Out of PS. Case No.-10 Year-2021 Thana- DHAMDAHA District- Purnia

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RANJIT KUMAR YADAV Son of Shambhu Yadav Resident of Village -
Damgarh, P.S. - Dhamdha, District - Purnea.

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Praveen Kumar Agrawal

For the Opposite Party/s : Mr.Umeshanand Pandit

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

6 19-09-2022 Let the defect(s), as pointed out by the office, be
removed within a period of four weeks from today.

Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner seeks bail in connection with
Dhamdha P.S. Case No. 10 of 2021 registered for the offences
punishable under Sections 364, 34 of the Indian Penal Code
subsequently added Section 302 of the Indian Penal Code.

As per prosecution case, accusation against the
petitioner is that he came to the house of informant by
motorcycle and took away the informant's son namely Ajeet
Kumar (deceased) to Ramotar Chauk, Damgaraha where co-
accused persons were waiting. It is further alleged that they
kidnapped the informant's son.



Learned counsel for the petitioner submits that petitioner is in custody since 20.01.2021. Petitioner bears no criminal antecedent. Charge sheet has already been submitted in the case and there is no likelihood of tampering with the prosecution evidence. Learned counsel further submits that the petitioner has falsely implicated in this case as from perusal of the F.I.R., it appears that the petitioner has lastly seen with the victim. There is no eye witness of the occurrence. There is an inordinate delay in lodging the F.I.R.

The learned A.P.P. for the State as well as learned counsel for the informant vehemently opposes the prayer for bail of the petitioner. It is submitted that not only the petitioner is named in the F.I.R. but also the name of present petitioner has been surfaced on the confessional statement of co-accused Subhesh Kumar and as a result of said confession, dead body of informant's son was recovered from West Bengal. Learned counsel further submits that bail of co-accused Santosh Kumar and co-accused Bambam Mehta alias Vijay Kumar has already been rejected vide Cr. Misc. No. 31893 of 2021 by the co-ordinate bench of this Court and the case of present petitioner stands on similar footing.

Considering the facts and circumstances of the



case, accusation made in the F.I.R. against the petitioner, bail of co-accused persons has rejected by the co-ordinate bench of this Court and case of present petitioner stands on similar footing and material available on record, I am not inclined to grant bail to the present petitioner. Accordingly, prayer for bail of the present petitioner stands rejected.

However, the petitioner is directed to renew the prayer of bail after six months if there is no substantial progress in trial.

(Alok Kumar Pandey, J)

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