

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47019 of 2021**

Arising Out of PS. Case No.-75 Year-2020 Thana- GHORASAHAN District- East
Champaran

=====

Manjeet Kumar S/O Ambika Prasad R/O Village-Shripur Kaswa, P.S-
Ghorasahan, District-East Champaran, Motihari.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Akshay Ashish

For the Opposite Party/s : Mr. Narendra Kumar Singh

=====

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 09-02-2022 Heard learned counsel for the petitioner and learned
APP for the State through video conferencing.

The petitioner seeks bail in connection with
Ghorasahan P. S. Case No.75 of 2020, instituted for the offences
under Sections 302, 201, 120(B) and 34 of the Indian Penal
Code and Section 27 of the Arms Act, 1959.

The learned counsel for the petitioner submits that the
petitioner is in custody since 24.03.2021, he is a person with
clean antecedent and charge-sheet has been submitted in the
case.

The learned counsel for the petitioner submits that the
informant in the F.I.R. alleges that his father (deceased) at about
4.30 P.M. on 24.02.2020, went out of the house and the



informant in the evening called the deceased on his mobile when the deceased informed that he will come by 7.00 P.M. and when the deceased did not come at 7.00 P.M., the informant again called him, but his mobile was switched off and on 25.02.2020 at 6.00 P.M. the informant got information from the Chaukidar of the police station that his father has been killed and the dead body has been thrown near a boring of Sripur orchard. Accordingly, the F.I.R. was instituted against unknown.

The learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case. There is nothing against him except for his confessional statement based on the investigation of the C.D.R. It is further submitted that even if what has come in the investigation is true, then the petitioner is not the assailant of the deceased.

The learned A.P.P. for the State vehemently opposes the bail application and submits that during the course of investigation at Para-26 of the case diary, the C.D.R. of the petitioner was investigated and it was found that the petitioner had talked with the deceased seven times from his mobile no.7347577491. Further the tower location of the petitioner and the deceased was also very close. The learned A.P.P. further submits that Para-78 of the case diary records the confessional



statement of the petitioner wherein he has accepted that one Viranjan Kumar from his mobile called the deceased for a drink and after getting him drunk, the said Viranjan Kumar shot him at his chest and the petitioner was also present at the place of occurrence which amply demonstrates that the petitioner was an accomplice in the crime.

Considering the submission made by the learned A.P.P. for the State, the Court is not inclined to enlarge the petitioner on bail.

Accordingly, his prayer for bail stands rejected for the present.

(Satyavrat Verma, J)

vikash/-

U		T	
---	--	---	--

