

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49532 of 2021**

Arising Out of PS. Case No.-82 Year-2021 Thana- BUXAR INDUSTRIAL District- Buxar

RAMU MAJHI S/o Nanhak Majhi R/O Vill. - Ahirauli, P.S. - Buxar (Ind.),
Dist. - Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Dr. Kamal Deo Sharma, Advocate
For the Opposite Party/s	:	Mr. Nirmal Kumar Sinha, APP
For the Informant	:	Mr. Manish Raj Sharma, Advocate

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER**

3 09-03-2022 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the informant.

The petitioner has preferred this application for grant
of regular bail in a case registered under sections 302, 201,
120B and 34 of the Indian Penal Code.

As per the prosecution case, the informant received
information on telephone about the disappearance of his son
who was living at his maternal uncle's place and subsequently
his dead body being found. He states that it appears that
unknown accused persons have killed him.

It is submitted by learned counsel for the petitioner
that the FIR was registered against unknown. The name of the
petitioner transpired in course of investigation in the



confessional statement of the petitioner made before police. No incriminating material has transpired in course of investigation to connect the petitioner with the alleged crime. The petitioner is maternal uncle of the deceased. He is in custody since 18.5.2021 and has no criminal antecedent. He undertakes to cooperate in the trial.

The application for bail is opposed by learned APP for the State and learned counsel for the informant. It is submitted by learned counsel for the informant that the deceased was seen along with his relative Shashi Kant Manjhi who confessed to having given effect to the crime and he named the petitioner herein. Thereafter, the confession of the petitioner was recorded in paragraph no. 54 of the case diary wherein he also accepted to have committed the crime. It is further submitted that the tower location of the mobile phone of the petitioner which was recovered from his possession shows the petitioner to be in the vicinity of the place of occurrence. Further in course of investigation the statement of Raj Kumar Manjhi was recorded who has stated about seeing the petitioner along with the deceased close to the time of the occurrence. Learned counsel submits that charge has been framed in the learned court below and two witnesses have been examined on behalf of the



prosecution. There will be no delay in producing the witnesses and the examination of the prosecution witness is expected to conclude within 2 – 3 months.

Having heard learned counsel for the parties and taking into consideration the materials on record together with the material that has transpired in course of investigation and the submission made on behalf of the parties, in view of the fact that the trial in court has commenced and two witnesses have been examined on behalf of the prosecution, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

Learned trial court is directed to expedite the trial and conclude the same at the earliest.

Liberty is granted to the petitioner to renew his prayer for bail if the trial is not concluded within six months of communication of this order, for no fault of his.

(Partha Sarthy, J)

Spd/-

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