

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54758 of 2021

Arising Out of PS. Case No.-155 Year-2021 Thana- KORHA District- Katihar

Bindan Kumar @ Bindan Mandal Son Of Mukhdev Mandal R/O Village-
Kaudiya Sadov, P.S.- Haweli Kharagpur, District- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amrendra Kumar, Advocate.

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

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR

ORAL ORDER

3 11-05-2022 Learned counsel for the petitioner is permitted to remove defect(s), as pointed out by the office, if any, within a period of four weeks from today.

Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

The application for grant of bail to the petitioner, above named, who has been made accused and put behind the bar in connection with Korha P. S. Case No. 155 of 2021 giving rise to Session Trial No. 209 of 2021 registered for the offences punishable under Sections 302, 201 and 379 of the Indian Penal Code.

As per the prosecution case, it is alleged that on 20.03.2021 the father of the informant, who was the owner-



cum-driver of 407 Pick-up vehicle, had talked with informant's maternal aunt and informant's father told her that he had been in Saharsa with the vehicle. On 22.03.2021 the informant came to know that the dead body of his father was found in Dighari village, the informant identified the dead body of his father. It is alleged that some unknown persons killed informant's father and his truck was also looted away.

Learned counsel appearing on behalf of the petitioner submits that the petitioner happens to be cleaner of the said vehicle bearing no. BR25-8972 and except the suspicion there is no material available on record, which suggests the complicity of this petitioner in the present case. He further submits that this petitioner is in custody since 25.03.2021 and, in fact, he is not involved in this occurrence rather while he was going with the deceased, some unknown miscreants have committed this occurrence but the police falsely implicated this petitioner.

On the other hand, learned APP for the State vehemently opposes the bail application and submits that the name of the petitioner surfaced during the course of investigation on the basis of location of his mobile phone and on being arrested, this petitioner has confessed his complicity in the present case and on the basis of his disclosure, the vehicle and



the knife which was kept in a box in the vehicle and said to be used in murder of the deceased has also been recovered. It is also submitted that the petitioner was arrested from his house along with his mobile phone and blood stained half pants.

Having heard the submissions made on behalf of the parties and taking into account that there is a confession leading to recovery of incriminating material, which suggests the complicity of this petitioner in the present case of gruesome murder, this Court is not persuaded to enlarge the petitioner on bail. Accordingly, the prayer of the petitioner for grant of bail stands rejected for present.

(Harish Kumar, J.)

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