

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59292 of 2021

Arising Out of PS. Case No.-36 Year-2021 Thana- BALIYA District- Begusarai

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GHANSHYAM KUMAR Son of Prem Kumar Ram Resident of Village -
Rampoor Gorgama, P.S.- Matihani, District - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Subodh Kumar Barnwal, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 04-04-2022 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in connection with Ballia P.S.
Case No. 36 of 2021 registered for the offence under Sections
365, 302, 201, 120 and 34 of the Indian Penal Code.

The brother of the informant is said to be abducted and
the informant suspects that his brother has been killed.

Learned counsel appearing for the petitioner submits
that the petitioner, who is of clean antecedent, is innocent and
has falsely been implicated in this case. He further submits that
the petitioner has not been named in the F.I.R. but his name has
surfaced in this case during course of investigation merely on the
basis of C.D.R./C.A.F. Save and except the call detail report, no
cogent material has come during course of investigation against



the petitioner. The petitioner is rotting in judicial custody since 15.02.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that there was love affair between the petitioner and the wife of the deceased and on account of that the petitioner in connivance with the wife of the deceased has killed the victim. This fact has clearly emerged during course of investigation and the same is recorded in paragraph-40 of the case diary. In paragraph-38 of the case diary it has come that during 01.02.2021 to 05.02.2021, altogether nineteen times, the petitioner has called on the phone number of the wife of the deceased. Apart from that, monetary transaction has also been done by the petitioner with the wife of the deceased which has been surfaced in paragraph-53 of the case diary. Not only that the petitioner has confession that he on the instruction of wife of the victim has killed the deceased.

Considering the facts and circumstances of the case, this Court is not inclined to grant the privilege of bail to the petitioner. Accordingly, the prayer for bail of this petitioner is rejected.

(Rajesh Kumar Verma, J)

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