

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.60371 of 2021**

Arising Out of PS. Case No.-215 Year-2019 Thana- BAKHTIYARPUR District- Patna

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AMIT KUMAR S/o LATE RAMNANDAN RAM @ NANAN RAM R/o  
VILLAGE-BELTHAM, P.S-BAKHTIYARPUR, DISTRICT-PATNA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Anil Kumar Singh, Advocate

For the Opposite Party/s : Mr. Md. Fahimuddin, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**

ORAL ORDER

2      15-04-2022                      Heard learned counsel for the parties through video conferencing in view of COVID 19.

The petitioner is in judicial custody in connection with Bakhtiyarpur P.S. Case No. 215 of 2019 registered under Sections 302 and 201/34 of the Indian Penal Code.

As per the prosecution story, the informant, Nageshwar Prasad is a Contractor. On 4<sup>th</sup> of July, 2019, the driver of the vehicle, namely, Ravindra Yadav, bearing Registration No. BRO1-PB-9313, proceeded from *pothi*. On the next day i.e. 05.07.2019, he tried to call on the mobile of Falendra Kumar Singh but failed to call him. Later, an unknown dead body was seized under Bakhtiyarpur police station and after going through the photograph, he came to Bakhtiyarpur and gave his *fardbeyan* and he believed that the murder has been



committed by throttling the neck of the dead body and was thrown behind Satyam Hotel with an intention to conceal the evidence.

Learned counsel for the petitioner submits that his name has come up in course of investigation.

However, a bare perusal of the learned Session's Judge order shows that on the basis of confessional statement of Raushan Kumar, accused, one black colour hand bag including laminated card of deceased Falendra Kumar Singh (mentioning his death of birth as 13.02.1968) has been seized from the house of the petitioner herein which clearly reflects that he was party to the crime. Added with the fact is that he has nine criminal cases registered against him; the FIR was lodged on 05.07.2021 but he finally came into judicial custody on 13.02.2020. This Court is not inclined to grant any relief to him.

Learned counsel for the Informant, who appears in this case, has submitted that co-accused Vivek Kumar @ Jugnu Kumar has also been denied bail by a co-ordinate Bench of this Court vide Cr. Misc. No. 7678 of 2021 disposed of on 03.09.2021. In that case, the locket of 'Hanuman Jee' of the deceased was recovered from Vivek Kumar @ Jugnu Kumar.

Taking into account the aforesaid facts, this Court



deems it improper to grant any relief and the bail application of the petitioner is hereby rejected.

The Trial Court is directed to conclude the trial expeditiously.

**(Rajiv Roy, J)**

Jagdish/-

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