

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57178 of 2022

Arising Out of PS. Case No.-189 Year-2021 Thana- RAMKRISHNANAGAR District- Patna

Abhishek Kumar Son of Ranjeet Kumar Resident of Mohalla- Shivaji Chauk,
Ram Krishna Nagar, P.S- Ram Krishna Nagar, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance:

For the Petitioner/s	:	Mr. Krishna Prasad Singh, Sr. Advocate
		Mr. Rakesh Singh, Advocate
For the Opposite Party/s :		Mr. Ram Anurag Singh, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

5 11-04-2023 Heard learned senior counsel for the petitioner and the
learned APP for the State.

Petitioner seeks regular bail in connection with Ram Krishna Nagar P.S. Case No. 189 of 2021 dated 13.05.2021 registered for the offences punishable under Sections 302, 120(B), 201 and 34 of the Indian Penal Code.

As per the prosecution, informant alleged that this petitioner alongwith other accused persons have strangled the informant's uncle (*Fufa*) and aunt to death with malafide intention to grab the deceased's property.

The main submissions advanced by learned senior counsel for petitioner are that the petitioner has fair and clean antecedent and he is grandson of the deceased and he has been made accused in this case mainly on the basis of suspicion,

infact the informant himself is not an eyewitness of the alleged occurrence and in the present time petitioner is facing trial and on him the charges have been framed and he has been languishing in jail since 15.05.2021.

Learned APP for the State has opposed the bail prayer.

Heard both the sides and perused the FIR and case diary of the case as well as *post-mortem* report of the deceased. The instant matter relates to the heinous offence of double murders which were allegedly committed by this petitioner and his parents and the deceased persons are stated to be the grand parents of the petitioner and initially the accused persons including the petitioner took the plea that the deceased died of COVID-19 and after the death they informed the informant, who happens to be relative of the deceased, about the death of the victims as well as the said reason of his death but the informant grew suspicious when he came at the spot and saw some marks around the neck of the deceased persons and then he lodged the FIR and during investigation the accused persons confessed to the crime and accepted that they had murdered the victims by strangulation and the *post-mortem* report of the deceased also goes in support of the said confession and during the investigation some witnesses stated that the accused persons

including the petitioner always quarreled with the deceased persons for the demand of money and the rope which was used by the accused persons in strangulating the victims was recovered in following with the disclosure made by co-accused Ranjit Kumar. Considering all these facts, in my opinion, it is a very heinous offence of double murders committed by close relatives including the petitioner hence, the petitioner does not deserve to the privilege of bail. Accordingly, his bail prayer stands rejected.

(Shailendra Singh, J)

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