

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65299 of 2022

Arising Out of PS. Case No.-168 Year-2022 Thana- BIHPUR District- Bhagalpur

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PRIYAM KUMAR SON OF NAWAL KISHORE KUWAR R/O VILL.-
SONBARSHA, P.S.- BIHPUR, DISTT.- BHAGALPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Subhash Kumar Jha

For the Opposite Party/s : Mr.Renu Kumari

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

3 18-04-2023 Heard learned counsel for the petitioner as well as

learned APP for the State.

In this case, the petitioner is seeking regular bail in
connection with Bihpur P.S. Case No. 168 of 2022, registered
for the offences punishable under Sections 364 (A) Indian Penal
Code and Latter on Sections 302, 201, 120 (B) of IPC.

As per allegation, Manju Devi who is mother of
deceased Rohit kumar, stated in her fardbeyan that her son Rohit
Kumar aged 22 years went out of the house at 9 p.m. and at 11
p.m., her daughter received a voice message from the mobile set
of Rohit Kumar. In that voice clip, he apprised that he was
kidnapped by miscreants and he would be killed if rupees 45
lakhs not be provided to one Amit. The informant lodged the



FIR and thereafter the dead-body of her son was recovered.

The learned counsel for the petitioner has submitted that he is innocent and has falsely been implicated. He did not demand ransom but one Amit Kumar whose name has been mentioned in the *Fardbeyan* has demanded ransom. He has also submitted the seizure list does not contain the signature of this petitioner and two accused persons Mithu Kumar and Subham Kumar have been granted bail by a coordinate Bench of this Court.

The learned APP as well as learned counsel for the Informant has opposed the prayer for bail and submitted that the confessional statement of the petitioner was recorded and he himself in his self-inculpatory confessional statement confessed his guilt and furnished the vivid description of the occurrence and stated that he along with other accused persons murdered the son of the informant by slitting his throat.

The learned APP has also submitted that the confessional statement of petitioner has led to recovery. The weapon whereof the murder was committed and the clothes of the deceased were recovered at the instance of the petitioner. They have also submitted that case of the petitioner cannot be equated with those who have been granted bail by the



coordinate Benches of this Court since the name of the co-accused persons who have been granted bail were figured in the confessional statement of other co-accused persons and their statement is not led to recovery.

In my view, this is not a fit case for grant of bail. Accordingly, it is rejected.

(Nawneet Kumar Pandey, J)

Sudha/Sonali

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