

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67078 of 2022

Arising Out of PS. Case No.-27 Year-2022 Thana- BHADAUR District- Patna

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PAPPU YADAV @ NITISH KUMAR S/o Brij Nandan Prasad Yadav R/o
Village- Bhikhochak, P.S.- Belchhi, Distt- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s :	Mr.Ashok Kumar Kashyap, Advocate
For the Opposite Party/s :	Mr.Shailendra Kumar, Addl Public Prosecutor
for the informant	Mr. C.S.Pd.Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 04-04-2023 Heard learned counsel for the petitioner, the State and
the informant.

Petitioner apprehends arrest in a case registered for
the offences punishable under Sections 302, 201, 120B/34 of the
Indian Penal Code.

On recovery of a dead body of a male person, FIR
was lodged against unknown. However, during investigation,
dead body was identified as of one Rajiv Kumar. It was further
transpired that one Sanjiv Kumar was in love with wife of the
deceased, namely, Shobha Devi @ Guriya. Said Sanjiv Kumar
is alleged to have committed murder with aid of the petitioner
and co-accused Atal Bihari.

Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in this case. Save and



except confessional statement of co-accused, no other tangible evidence has been collected during course of investigation to suggest the implication of this petitioner in the present case.

Learned counsel for the State and the informant oppose the prayer for bail. Learned counsel for the informant submits that the during investigation it has transpired that at the relevant time, petitioner was in talk with wife of the deceased as well as with other accused persons. In paragraph 58 of the case diary, it has been stated that the petitioner was showing way to the three motorcycle borne other accused persons who were taking the deceased along with them. They put the deceased under intoxication and then hurled repeated knife blows on him. Petitioner has got criminal antecedent as he is accused in two other criminal cases.

Considering the nature and gravity of allegation and materials collected against the petitioner, his prayer for bail is refused.

(Prabhat Kumar Singh, J)

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