

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68769 of 2022

Arising Out of PS. Case No.-720 Year-2022 Thana- KHAJANCHI HAT District- Purnia

MD. AJMAL S/o Md. Yakub R/v- Majheli, P.S.- Muffasil, Ranipatra, District-
Purnea

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra, Adv.

For the Opposite Party/s : Mr. Tarun Prasad Mandal, APP

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

ORAL ORDER

3 17-04-2023 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 K. Hat P.S. Case No. 720 of 2022, registered for the offences punishable under Sections 302, 201 of Indian Penal Code.

As per allegation, on 16.07.2022, the deceased who was a tempo driver went out with his tempo but didn't return. Later on, his dead body was found. His head was severed with his body and his left hand and leg were also amputated.

The learned counsel for the petitioner has submitted that petitioner is innocent and except his confessional statement there is nothing against him.

On the other hand, the learned APP has opposed the



prayer for bail and submitted that the petitioner and other accused persons have confessed their guilt and furnished the vivid description of the entire occurrence. The petitioner in his statement, contained in paragraph No. 53, has categorically stated that when he and other accused persons strangled the deceased by wrapping *gamcha* around his neck the petitioner chopped off his limbs from his body. He has also submitted that the confessional statement led to recovery of *dabiya* whereby the limbs of the deceased were chopped off and the details whereof has been furnished in the paragraph No. 55 of the case diary.

The learned APP has also submitted that other co-accused persons have also named the petitioner as one of the perpetrator of the crime in paragraph Nos. 43 and 47 of the case diary.

The confessional statement is leading to recovery. I do not think it to be a fit case for bail. Accordingly, rejected.

(Nawneet Kumar Pandey, J)

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