

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21740 of 2024

Arising Out of PS. Case No.-589 Year-2023 Thana- PARSABAZAR District- Patna

Slok Kumar @ Ashlok Kumar @ Ashlok son of Sri Birendra yadav Village-
Bhatan Bigha Ps- Kako Dist- Jehanabad

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhola Kumar

For the Opposite Party/s : Mr.Mohammad Sufyan

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

CAV ORDER

6 03 -09- 2024 I have already heard the learned counsel for the parties.

2. This is an application for regular bail on behalf of the petitioner for the offences alleged under Sections 302 and 201 of the Indian Penal Code, registered in connection with Parsa Bazar P.S.Case No. 589 of 2023.

3. The brief fact of the case is that the informant's wife Usha Devi went out in the evening of 06.11.2023 for purchasing vegetables, but she did not return. The informant came to know that the police had recovered a dead-body of a female. After getting information, the informant went to the police station and identified the photograph of the deceased. It has been mentioned in the FIR that some unknown persons after



committing murder of the wife of the informant had thrown the dead-body in the eastern side of NH-83 at a distance of 200 metres from that road.

4. The learned counsel for the petitioner submitted that the petitioner is innocent and has falsely been implicated. He is the cousin brother of the deceased. It has further been submitted that the extra-judicial confession of the petitioner which is not leading to the recovery is not admissible in evidence.

5. On the other hand, the learned APP for the State has opposed the prayer for bail.

6. In para-53 of the case diary, the statement of 10 years old son of the deceased has been recorded. He stated that his mother went out from the house for purchasing vegetables, and when he insisted to go with his mother, she told him that she was also to go to meet Slok Mama (the petitioner) and asked her son to remain at his house with his maternal grandmother. Since his mother did not return, he tried to contact his mother on her mobile number 7765956141 through a lady residing near the house, but mobile of his mother was switched off. After a short while, father of this witness came and he attempted to contact the petitioner on mobile numbers 8757907009 and 8210003797.



The petitioner told the father of this witness that the deceased had not come to meet him.

7. In para-59 of the case diary, the statement of the informant has been recorded. It has been mentioned in his statement that the petitioner had prohibited the informant not give the mobile number of the deceased to the Investigating Authority, otherwise the petitioner had to face some hardship.

8. The self-inculpatory statement of the petitioner has been recorded in which he has stated that he had taken Rs. 2,00,000/-for running his clinic from his *Mauseri* sister(deceased) and he was to pay Rs. 12000/- to 13,000/- per month in instalment. The deceased was persistently demanding the money. The petitioner hatched a plan to kill her. He purchased a knife from Prince General Store. He administered her some sedatives and thereafter committed her murder and threw the dead-body.

9. From perusal of para-67 of the case diary, it appears that the location of the mobile number of the petitioner and the deceased were found near place of occurrence which also transpires that the petitioner was involved in murder of the deceased. Anticipating that the call detail report (CDR) of the petitioner may be tallied with that of the deceased, he prohibited



the informant not to disclose the mobile number of the deceased to the Investigating Authority. Para-70 of the case diary contains the statement of the proprietor of the Prince General Store, Santosh Kumar. This witness stated that the petitioner had purchased a knife from his shop and when he sold the knife to the petitioner he requested this witness to wrap that knife in papers. Thereafter he handed over the purchased knife to the petitioner after wrapping the same with papers.

10. The complicity of the petitioner transpires from the evidence collected during the course of investigation.

11. In my view, it is not a fit case to grant the privilege of bail to the petitioner. It is accordingly rejected.

(Nawneet Kumar Pandey, J)

HR/-

U		T	
---	--	---	--

