

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42603 of 2024

Arising Out of PS. Case No.-462 Year-2023 Thana- SUGAULI District- East Champaran

AKHILESH BHAGAT SON OF BABULAL BHAGAR VILLAGE-
SUGAON DIH, P.S.- SUGAULI, DISTT.- EAST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sharad Kumar Verma, Advocate

For the Opposite Party/s : Mr. Khurshid Anwar , APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 18-10-2024 Heard learned counsel for the parties.

2. The petitioner seeks regular bail in registered for the offences punishable under sections 363 , 364, 506 and 34 of the Indian Penal Code .

3 As per written report of informant, on 23.10.2023, her son was kidnapped by co-accused Smita Devi and Rishabh Kumar. It is further alleged by informant that her son used to talk to Smita Devi, which was objected by Rishabh Kumar, for which her son and said Rishabh Kumar had quarreled one month earlier and Rishabh Kumar had threatened her son to kill and as such, conspiring with each other, co-accused Smita Devi and Rishabh Kumar called her son and might have killed her son .

4. Learned counsel for the petitioner submits that petitioner is not named in the F.I.R., and his name transpired on the confessional statement of other co-accused persons. Further



submission is that during course of investigation, none of the witnesses have seen this petitioner committing the occurrence. Except confessional statement, there is no other material on record to show his complicity of this petitioner in the alleged occurrence. Similarly situated co-accused persons have already granted anticipatory bail by this Court vide order dated 27.09.2024 in Cr. Misc. No. 58900 of 2024.

5 . However, learned counsel for the State opposed the bail and submitted that during course of investigation , it has come that this petitioner along with other co-accused persons strangled the victim and then kept his dead body body in a jute sack . It is further submitted that petitioner is involved in this occurrence , which is evident from paras 28 , 29, 30 and 31 of case diary . The parts of dead body of the victim was recovered on the disclosure made by this petitioner.

6. Considering the nature of accusation and materials available on the records against the petitioner, his prayer for bail is refused.

(Prabhat Kumar Singh, J)

Koushik/-

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

