

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66882 of 2024**

Arising Out of PS. Case No.-122 Year-2024 Thana- JAMHOR District- Aurangabad

1. Kurban Ahmad @ Qurban Ahmad @ Kurban Ansari S/o Md. Amimul Haque R/o Village- Dhanaw, P.S.- Jamhor, District - Aurangabad
2. Imran Ansari S/o Md. Amimul Haque R/o Village- Dhanaw, P.S.- Jamhor, District - Aurangabad

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Birendra Kumar Singh
For the Opposite Party : Mr. Parmanand Prasad

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 16-12-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners have preferred this application for grant of regular bail in connection with Jamhore P.S. Case No. 122/2024 dated 09.07.2024 registered for the offence punishable u/s 103(1), 238 of the B.N.S.

3. As per the prosecution case, the informant received information that an unknown person's body was found in the canal at village Dhangaai. When the informant went there, he saw a body of a male approximately 30 years old wearing orange shirt, blue full pants with a texin belt stuck in a tree in the Chanda canal. Thereafter, the informant saw that both the



arms and legs of the body were locked by iron shackles chain and neck was tied with a plastic rope. The informant further alleged that the body was thrown in the canal with an intention of concealing a murder committed elsewhere.

4. Learned counsel for the petitioners has submitted that the petitioner is innocent and has falsely been implicated in this case on account of village politics. The petitioners are not named in the F.I.R. The name of the petitioners have sprung up in this case on mere suspicion. The petitioners have no concern with the alleged occurrence. The petitioners and the deceased are full brothers. The petitioners have clean antecedent as stated in para 3 of the bail petition. The petitioners are in custody since 14.07.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioners. In para. 51 and 52 of the case diary, the confessional statement of the petitioners are mentioned where they have accepted their involvement in the alleged occurrence. On the basis of the confessional statements of the petitioners, the remaining part of the rope and the Innova car used in the alleged incident were recovered and a seizure list was prepared.

6. Considering the aforesaid facts and circumstances



of the case as well as the heinous nature of offence against the petitioners and the material available on the record, this Court is not inclined to grant bail to the petitioners and the same is rejected in connection with Jamhore P.S. Case No. 122/2024 pending in the court of learned A.C.J.M.-VII, Aurangabad.

7. This application stands rejected.

(Chandra Prakash Singh, J)

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