

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62375 of 2024

Arising Out of PS. Case No.-726 Year-2022 Thana- BEGUSARAI TOWN District- Begusarai

Pradumn Kumar @ Pradumn Pandit @ Praduman Kumar @ Praduman
Pandit, Son of Ganga Pandit, R/o Village- Mahna, Ward No.-01, P.S.- Barauni
(Refinery), District- Begusarai.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Sandip Kumar Gautam, Advocate

For the Opposite Party : Mr. Madhura Nand Jha, A.P.P.

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

ORAL ORDER

4 18-02-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in Sessions Trial No. 441
of 2023 in connection with Town P.S. Case No. 726 of 2022
dated 02.12.2022 registered for the offences punishable under
Sections 364, 120B read with Section 34 of the I.P.C. Later on
Section 302 of the I.P.C. was also added.

3. As per the prosecution case, the petitioner
alongwith other co-accused persons is alleged to have abducted
the husband of the informant and later on the dead body of the
informant's husband was found from a bush.

4. Earlier prayer for regular bail of the petitioner was
rejected by the then Co-ordinate Bench of this Court vide Cr.



Misc. No. 55266 of 2023 under order dated 03.01.2024, with a direction to the trial court to expedite the trial and conclude the same as soon as possible, annexed as Annexure-1 to the present bail petition.

5. Vide orders dated 23.09.2024 and 20.11.2024, a report with respect to the stage of trial was called for from the learned court below. In pursuance thereof, the learned District and Additional Sessions Judge-II, Begusarai, vide its Memo No. 314/2024 dated 05.12.2024, has reported that out of nine prosecution witnesses, eight prosecution witnesses have already been examined and one prosecution witness i.e., the Investigating Officer is yet to be examined.

6. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is submitted that the petitioner is not named in the F.I.R. rather the same has been registered against the co-accused Raj Kumar. His name has come in the present case during the course of investigation. The informant has categorically stated in the F.I.R. that at 6.00 P.M. on the alleged date of occurrence she talked with her husband (deceased) on mobile in which her husband had told that he has been kidnapped by the co-accused Raj Kumar and thereafter his mobile was switched-off. It is



further submitted that during the course of investigation, the mother of the informant in her statement has stated that the informant is her sole issue and she has demanded money from her husband and her step-son Raj Kumar with respect to share of land which has been refused by them. The informant has also made a quarrel with them with respect to money of her share of land. This witness has cast doubt that her husband and her step-son had committed the alleged crime. The charge sheet has been submitted in the present case. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail petition. He is in custody in this case since 07.12.2022.

7. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner and has submitted that during the course of investigation, the petitioner was arrested by the police and he confessed his guilt and at his instance, dead body of the informant's husband alongwith some incriminating articles have been recovered from a bush. As per the postmortem report, the doctor opined that the cause of death of the deceased is due to asphyxia as a result of strangulation. During investigation, witnesses have supported the prosecution version.

8. Considering the aforesaid facts and circumstances



of the case and finding substance in the contention of the learned A.P.P for the State, this Court is not inclined to grant bail to the petitioner and the same is rejected in Sessions Trial No. 441 of 2023 in connection with Town P.S. Case No. 726 of 2022, pending in the court of learned Additional Sessions Judge-V, Begusarai.

9. The application stands again rejected.

10. The learned trial court is directed to expedite the trial and conclude the same at the earliest.

(Chandra Prakash Singh, J)

U.K./-

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

