

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77973 of 2024

Arising Out of PS. Case No.-231 Year-2022 Thana- PUNPUN District- Patna

Pintu Kumar S/o Late Vidyanand Singh R/o Village and Post- Jatdumri, PS-
Punpun, Distt- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitesh Singh, Adv.

For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

4 18-04-2025 Heard Mr. Jitesh Singh, learned counsel for the
petitioner and Mr. Jitendra Kumar Singh representing the State.

2. The petitioner is in judicial custody in connection with S.Tr. No. 1338 of 2022 arising out of Punpun P.S. Case No. 231 of 2022 registered under Sections 302, 201 and 120(B) of the Indian Penal Code and Section 27 of the Arms Act lodged on 05.07.2022 by the informant, Jitendra Kumar.

3. As per the prosecution story, the allegation is that the younger brother along with his friend had gone to the house of the petitioner relating to payment of dues of Rs. 1,50,000/- for which an agreement was executed but the amount was not returned.

4. Further, the informant later along with the villagers went to the house of Pintu Kumar but neither could found the brother nor the Pintu Kumar gave the correct picture rather he tried



to misguide him. He as such suspected the abduction of his brother which followed the FIR.

5. Later, a dead body was found in the husk godown of the petitioner. The body was cut into pieces. Accordingly, the petitioner came into judicial net.

6. Learned counsel for the petitioner submits that the complainant filed a missing complaint dated 04.07.2022 while the FIR was lodged on 05.07.2022. In the entire case, there is no mention of a crime scene, there is just the recovery from my premises but the provisions attracting the charges of murder was added on 07.07.2022 which can be seen from the FIR itself. There is no explanation as to why there was delay of 48 hours after the recovery of dead body. Its just the recovery is from his premises which is an open place at an intersection, no neighbour is the witness. The witnesses are from distant places from the recovery of the dead bodies.

7. Learned State Counsel on the other hand has taken this Court to paragraph 19 of the confessional statement of Dhiraj Kumar and has submitted that he has narrated that this petitioner along with Dhiraj Kumar killed Jalendra Kumar and Manish Kumar, the body was cut into pieces and kept in the cow shed of this petitioner. The motorcycle of Manish Kumar was taken to Mandalichak and put on stand in an abandoned condition.



8. He further submits that the trial is going on and is on the verge of conclusion.

9. In this case, report was called for from the learned Trial Court which has come vide letter no. 22/25 dated 17.03.2025 and the same read as follows:

Letter No. 22/2025

From,

Sanjeev Kumar-I

Addl. Sessions. Judge II,

Masaurhi (Patna)

To,

The Assistant Registrar

High court of Judicature at Patna

Sub: Report regarding submission of xerox copy of case diary, criminal antecedent report and present stage of Sessions Trial No. 1338 of 2022 arising out of Punpun P.S. Case No. 231 of 2022.

Ref: Criminal Miscellaneous No. 77973 of 2024

Masaurhi, Dated the 17th March, 2025

Sir,

With due respect and in compliance of order dated 19.02.2025 passed in Cr. Misc. No. 77973 of 2024 by the Hon'ble High Court, Patna, wherein the Hon'ble Court has been pleased to call for copy of case diary, criminal antecedent report and report regarding present stage of Sessions Trial No. 1338 of 2022, arising out of Punpun P.S. Case No. 231 of 2022. In this regard I humbly submit that the abovementioned case is running at the stage of



argument. In this case prosecution has examined 08 witnesses and 05 witnesses are examined on the behalf of defence side. Argument on the behalf of defence is being heard. I respectfully further submits that the trial of the case is on the verge of conclusion. The next date fixed for argument is 19.03.2025.

The report is respectfully submitted to be placed before the Hon'ble Court for its kind consideration.

Enclosers

1. Copy of case diary -1 to 35
2. Criminal antecedent report – Pg no. 35

Yours faithfully,

sd/-

Additional Sessions Judge II,
Masaurhi.

10. Considering the aforesaid facts as also the materials that are on record, the allegation that has come on record beside the fact that the learned Trial Court has undertaken to conclude the trial certainly, the petitioner does not deserve bail. It is accordingly, rejected.

11. In view of the fact that the learned Trial Court has recorded that it is on the verge of conclusion, it is requested to expedite and conclude the trial at an earliest.

(Rajiv Roy, J)

Vijay Singh/-

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